

## Grattan Township Planning Commission

Regular Meeting of September 5, 2007

### Call to Order/Roll Call

Chairperson Alan Rumbaugh called the regular meeting of the Grattan Township Planning Commission to order at the Grattan Township Hall at 12050 Old Belding Road at 7:02 p.m. Members present: A. Rumbaugh, A. Berry, J. Spitler, S. Miller, L. Sostecke and J. Proos. Absent: D. Heffron. This was an excused absence. Township Supervisor Frank Force, Township Treasurer Sabrina Freeman, and Township Enforcement Officer Al Darzniek also attended the meeting.

### Pledge of Allegiance

A. Rumbaugh led the Pledge of Allegiance.

### Approval of Agenda

A. Rumbaugh noted that due to the last minute information submitted regarding the Harp/Czelada request for a communications tower the vote on that matter will be tabled until the October meeting.

J. Spitler moved and A. Berry seconded to approve the amended agenda. All ayes. The motion carried.

### Approval of Minutes

A. Berry noted several minor corrections to the minutes. L. Sostecke moved and J. Proos seconded to approve the amended minutes. All ayes. The motion carried.

### Public Comments

There were no public comments.

### Review-Larry Cone- 3901 Elhart Dr- Adding Basement and Loft to Nonconforming Lot

Chairperson A. Rumbaugh said two issues need to be clarified on this request. One, the use of the driveway going across the Condon's property. Mr. Rumbaugh said the court case with the previous owner and his neighbor explained the driveway use. He suggested that Mr. Cone contact the Condon's and clear up the issue of crossing their property. Second, Mr. Rumbaugh asked how the existing house would be raised without blocking the road. Mr. Cone supplied documentation from House Moving Engineers, Inc. That company said raising the house should not be a problem.

L. Sostecke asked if the retaining wall was part of the structure and if so if that would make the house even more nonconforming. A. Rumbaugh said the proposed height was very close to exceeding height limitations. He reminded Mr. Cone that the height measurement is taken on a line drawn from 2 corners of the house halfway between the two points. Mr. Cone said the retaining wall may not be needed depending on the soil type in that location.

A Berry said he originally had questions about the easement and the dock, but those matters have been addressed. J. Proos said the easement looks like funneling to the lake. He questioned whether the owners went before the Township when the easement was created. A. Rumbaugh said he could ask the Township Attorney Jim Brown, but he believed other easements on the lake have gone with the property. L. Sostecke said the easement is not the issue before Commissioners. If the owner were not remodeling, the easement would not be discussed.

A. Rumbaugh suggested the Commission take public comments. J. Spitler moved and A. Berry seconded to open the meeting for public comments. All ayes. The motion carried.

There were no public comments

L. Sostecke moved and J. Proos seconded to close the meeting for public comments. All ayes. The motion carried.

J. Spitler moved and L. Sostecke seconded to approve the request to add a basement and a loft to the nonconforming lot. A. Berry read the roll call. Ayes: J. Spitler, L. Sostecke, S. Miller, A. Berry and A. Rumbaugh. Nays: J. Proos. The motion carried by a vote of 5-1.

Review- Harp/Czelada- Request to Install 199' Guyed Communication Tower

Chairperson Rumbaugh said he appreciated the applicants coming to the meeting. He said information regarding the request received from Mr. Czelada today is difficult to understand and noted that the Township would like to have the information verified.

Mr. Czelada said Township ordinance says no tower can be located within 3 miles of another tower. He said there are no registered towers in Grattan Township within 3 miles of this site. There is an existing tower 2.5 miles away in another county. He provided a coverage map of the proposed tower. He explained that FCC regulations state that no more than 3000 residents can live within the "mushroom shaped" coverage area of the tower. If the existing tower located 2.5 miles away from the proposed site were used the coverage area would include a portion of Greenville . That coverage area would then exceed the 3000 resident regulation.

J. Spitler asked why the coverage area is mushroom shaped. Mr. Czelada said the location, height and power of the proposed tower created that pattern. Mr. Spitler said the

pattern was established to serve more people. Mr. Czelada said the pattern was designed to meet Federal requirements for the permit.

A. Rumbaugh said according to Township ordinance towers must be 300' from residential dwellings. He believed the proposed tower would meet that requirement. The applicants said the Township must make sure the information they have provided is verified by a non-commercial Engineer.

A. Berry asked the applicants if they could purchase additional property in order to locate the tower further back from M-44. The applicants said they could not. There was discussion whether the tower would be seen from M-44. The applicants did not believe equipment buildings would be seen from the road. J. Proos asked if the applicant had landscaping plans for the tower. Mr. Czelada said there would be a chain link fence surrounding the tower to make sure no one could climb into the facility. He said this would also provide protection for snowmobiles from the guy wires. He said the applicants want to make sure the facility is safe. L. Sostecke asked who will maintain the facility. Mr. Czelada said the applicants would post a 1-800 phone number to a 24 hour hotline on the site.

Mr. Rumbaugh said he would call the applicants if they need to supply any additional information. Mr. Czelada asked if the report on the Township's verification of their information would be available before the next meeting. Mr. Rumbaugh said it should be available 2 weeks before the next meeting. Mr. Harp asked if a special meeting could be scheduled before the regular October Planning Commission. Mr. Rumbaugh said a special meeting would not be scheduled. It was noted that the applicants are eager to begin construction before winter. Mr. Harp said Township residents would benefit from wireless access from the proposed tower.

#### Public Hearing- Limited Excavation Use

A. Berry moved and J. Spitler seconded to open the public hearing. All ayes. The motion carried.

There were no public comments regarding this matter.

J. Spitler moved and L. Sostecke seconded to close the public hearing. All ayes. The motion carried.

A. Berry moved and J. Spitler seconded to forward this matter to the Township Board for approval. A. Berry read the roll call. All ayes. The motion carried.

#### Authorization for Zoning Enforcement Officer to Issue Citations

A. Rumbaugh told Commissioners a public hearing is required to change the ordinance and allow the Township Enforcement Officer to issue citations .

J. Spitler moved and J. Proos seconded to authorize a public hearing on the matter. All ayes. The motion carried.

#### Review- Commercial Use of any of the Lakes in Grattan Township

A. Rumbaugh briefly reviewed previous discussions regarding the necessity of an ordinance amendment for commercial use of lakes. Recently Action Sports began using Reeds Lake for wake board lessons. They also were selling merchandise. Mr. Rumbaugh said a DNR permit would be required for commercial use of a public access ramp. The business would also have to contact the Sheriff's Department. Commissioners agreed to look at this matter at a later time if needed.

#### Review- Of Need for Ordinance for Portable-on-Demand Storage Units (PODS)

Township Attorney J. Brown informed A. Rumbaugh that another community has drafted an ordinance to regulate PODS. Commissioners discussed asking Mr. Brown to draw up an ordinance for review. L. Sostecke asked if there were funds in the Planning Commission's budget for this expense. Commissioners said this should not be expensive if an ordinance is already available. It was agreed to have Mr. Brown provide an ordinance for review.

#### Review- Grattan Race Track Sound Readings

Al Darzniek, Township Enforcement Officer reviewed sound readings he collected this summer using the Township's equipment. The sound readings were all under 90 decibels. Commissioners discussed what the maximum reading is. It was noted that Marne raceway uses 90 decibels. Mr. Darzniek suggested taking readings when someone complains about the noise.

A Township resident said there is one race each year that is really loud. She was not sure what type of race it is. She also said the loudspeaker has been used several times this summer before the 9:00 a.m. start time. She provided Mr. Darzniek with the dates and times of the early use of the loudspeaker. Mr. Darzniek said he would talk with the owners about that issue. She also said when the special use was granted the owners said there would only be one event held at a time. She believed there were two events being run simultaneously. Commissioners agreed to look at the meeting minutes when the race track's special use was discussed.

Mr. Darzniek said he would like to do side by side readings with race track personnel. There was discussion about how often the owners are required to collect sound readings. It was agreed that those readings are to be done monthly. A letter will be sent to the race track regarding the monthly sound reading collection.

S. Miller and J. Proos said the race track has been here for a long time and is an asset to the Township.

Adjournment

There being no further business, A. Rumbaugh declared the meeting adjourned at 8:23 p.m. The next regular Planning Commission meeting will be held on October 3, 2007.

Respectfully submitted,

Diane Timmons

Recording Secretary, GTPC

Al Berry, Secretary, GTPC

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GRATTAN TOWNSHIP PLANNING COMMISSION

Regular Meeting of September 6, 2006

Call to Order/Roll Call

Chairperson Cheryl Tolley called the regular meeting of the Grattan Township Planning Commission to order at the Grattan Township Hall at 12050 Old Belding Road at 7:00 p.m. Members present: C. Tolley, J. Fues, L. Sostecke, J. Proos, A. Berry and A. Rumbaugh. Members absent: D. Heffron. This was an excused absence.

Township Supervisor Frank Force, Township Trustee Paul Knoerl and Township Attorney Jim Brown also attended the meeting.

Pledge of Allegiance

C. Tolley led the Pledge of Allegiance.

Approval of Agenda

A discussion of upcoming training sessions was added under discussion.

Approval of Minutes

L. Sostecke moved and J. Fues seconded to approve the August 2, 2006 minutes as written. All ayes. The motion carried.

#### Public Comments

Paul Knoerl thanked Commission members for their hard work on the Landon Holdings development request. Kent County Circuit Court ruled in favor of Grattan Township and Landon Holdings has announced that they will no longer pursue their request.

Public Hearing-Grattan Township Fire Station-11676 Old Belding Road-Rezoning from R-R to C-1 District, 2 nd Parcel, submitted by Grattan Township

C. Tolley explained the rezoning request. She noted that this is the second Fire Barn parcel submitted by Grattan Township for rezoning.

L. Sostecke moved and A. Berry seconded to open the public hearing. All ayes. The motion carried.

Edward Arnold, neighbor, said he was concerned about the effect of this commercial property on the value of his home. His property is also zoned commercial.

Aaron Antcliff, neighbor, was also concerned about his property value. His home is located across the street from Mr. Arnold and adjacent to another commercial property. That adjacent property was previously being used as a multifamily dwelling and was condemned. It is currently being refurbished for use again as a multifamily dwelling. Mr. Antcliff questioned how the commercial property could be used for apartments. Township Attorney J. Brown suggested that Mr. Antcliff ask the Township to enforce the ordinance.

C. Tolley noted that this request is for a second parcel and that one parcel has already been rezoned. Mr. Arnold and Mr. Antcliff said they did not receive notice of the public hearing regarding rezoning of the first parcel.

Mr. Antcliff said the fire barn currently drains into the pond located behind the building. Township Supervisor Frank Force said the new owners plan to plug up that drain.

L. Sostecke moved and A. Berry seconded close the public hearing. All ayes. The motion carried.

A. Berry moved and J. Fues seconded to recommend approval of the rezoning request to the Township Board. All ayes. The motion carried.

#### Public Hearing-Proposed Ordinance Amendments

Township Attorney Jim Brown reviewed the proposed ordinance amendments, which include mandated changes to conform to the new State Zoning Enabling Act, alternate ZBA members, accessory building heights and sign setbacks.

L. Sostecke moved and A. Berry seconded to open the public hearing. All ayes. The motion carried.

George Knevelbaard spoke in favor of the proposed amendments.

Bill Zaskowski asked why only A1 and A2 districts were included in the accessory building height amendment. Commissioners gave several reasons for not including other districts.

L. Sostecke moved and A. Rumbaugh seconded to close the public hearing. All ayes. The motion carried.

A. Berry asked how long committees would have to fill vacancies. J. Brown said there is no provision for how long committees would have to fill vacancies. He said committees could function while the vacancy is unfilled.

A. Rumbaugh asked if address signs sold by Grattan's Fire Department would fall within the 10' setback requirement. J. Brown said most of those signs are affixed to the mailbox, which is located in the road right-of-way.

J. Fues said he would like to see accessory building heights changed only on parcels over 3 acres. The remaining Commission members were in favor of amending accessory building heights on both 1 and 3-acre parcels.

A. Rumbaugh moved and A. Berry seconded to recommend approval of the proposed ordinance amendments to the Township Board. J. Fues read the roll call. All ayes. The motion carried.

#### New Business

There was no new business.

#### Old Business

A. Berry asked if the Osmoslinskis are in compliance with the order to remove unapproved dog runs. C. Tolley believed they were not in compliance. F. Force agreed. Mr. Force said there is some confusion about when the start date of the order is. J. Brown said the Township could file a motion asking the Judge for clarification of the starting date.

L. Sostecke asked if telephone calls regarding approval of the Borgeld swimming pool were supportive. C. Tolley said they were supportive.

## Discussion

C. Tolley informed Commission members of several upcoming training sessions for the Planning Commission and Zoning Board of Appeals.

F. Force reminded Commissioners of Paul Le Blanc's seminar for the Planning Commission scheduled for October 10, 2006.

## Adjournment

There being no further business, the meeting was adjourned at 7:52 p.m. The next regular meeting will be held on October 4, 2006 at 7:00 p.m.

Respectfully submitted,

Diane Timmons

Recording Secretary, GTPC

Jim Fues, Secretary, GTPC