

CLAYTON TOWNSHIP PLANNING COMMISSION
REGULAR MEETING MINUTES
JANUARY 26, 2016, 7:00 P.M.
CLAYTON TOWNSHIP HALL

CALL TO ORDER

Mr. DePottey called the Planning Commission meeting to order at 7:00 p.m.

ROLL CALL

Present: Ryan Bower
Kevin DePottey
Susan Hyde
Ed McCartney
Dennis Milem
Robert Widigan

Absent: William Shaw

Others Present: Ted Henry, Zoning Administrator
Ken Tucker, Attorney
Deanna Turner, Stenographer

Pledge to the Flag

Mr. McCartney led the Pledge to the Flag.

APPROVE PROPOSED AGENDA

Motion by Milem, supported by McCartney to approve the proposed agenda of the December January 26, 2016 Planning Commission meeting.

MOTION CARRIED.

APPROVAL OF MINUTES: December, 2015

Mr. Milem said the minutes were revised to include Ms. Hyde's letter she read.

Motion by Widigan, supported by Milem to allow Ms. Hyde to abstain from the minute approval vote because she is a resident of Saratoga.

Motion by Widigan, supported by Milem, to approve the minutes of the December Planning Commission meeting, as submitted.

MOTION CARRIED, Hyde abstained.

COMMUNICATION

None.

REPORT OF OFFICERS AND COMMITTEES

None.

PUBLIC COMMENT

None.

OLD BUSINESS

None.

NEW BUSINESS

Mr. DePottey opened the Public Hearing at 7:04 p.m.

(1) REVIEW REQUEST FROM JACOBS TO CONSTRUCT A COMMUNICATIONS TOWER

Kathie Hayes, representative from Verizon Wireless discussed the site plan revision. She stated they have to wait for the FAA report before they can proceed.

Mr. McCartney asked if there would be overhead wiring or underground. Ms. Hayes responded underground, following the easement.

Mr. Milem asked what the land ordinance problem was with the wire. Ms. Hayes said the state board does not permit barbed wire on the property. They presented new site plans to the state board with no barbed wire, per the Whaley Children's Center property.

Mr. Tucker stated the ordinance requires barbed wiring and Verizon Wireless would have to apply for a variance in order to not have barbed wiring.

Mr. Milem suggested the land owner could also ask the state for a change.

Mr. John Gaber, attorney for Verizon Wireless, said their version is not inclusive of barbed wiring requirement. Mr. Tucker stated they received an old ordinance.

Mr. McCartney inquired about screening. Ms. Hayes said they would have to ask for a variance for screening as well.

Mr. Barber said they were at disadvantage because they didn't have the correct verbiage. He said the tower is not in a residential area and there should be no detrimental effect with no screening.

Sue Ringle, 9297 Potter Road, asked if the proposed site plan would not be approved until Verizon Wireless hears back from the FAA. She also asked how the tower will impact the Whaley Children's Center tax free status. Mr. DePottey said he doesn't know. Ms. Ringle said the tower on their land will produce income.

Mr. Milem said they also lease land out for farming. He said they would have to ask Mr. Rick Caruso, Treasurer.

A discussion ensued about screening requirements and why they are a necessary requirement.

Mr. McCartney referred to the landscaping ordinance. Mr. Tucker said he would get that for Ms. Hayes. Ms. Hayes said they would update their site plan.

Mr. DePottey closed the public hearing at 7:23 p.m.

Ms. Hyde asked about a letter from a resident regarding the ATT application. Mr. Tucker said a resident wrote a letter about dangerous microwaves after the tower was placed across the street from her property.

Motion by Widigan, supported by McCartney to recommend to the township board approval of the special conditional use permit submitted from Jacobs/Verizon Wireless to construct a communications tower; subject to FAA approval; landscaping requirements; compliance with ordinance 152.078; ordinance 152.039, section 20, barbed wire fencing compliance or variance obtained; and any other permit requirements by the county or state; case number SCU15-04; Tax ID 04-04200-021; 10047 Potter Road; Zoning Class RSF.

MOTION CARRIED.

ADDITIONAL ITEMS

Mr. Milem said they would tackle the survey when Dr. Shaw is present.

ADDITIONAL COMMENT

None.

ADJOURNMENT

Mr. DePottey adjourned the meeting at 7:38 p.m.

Minutes by

Minutes Accepted by

Dennis Milem, Clerk

William Shaw, Chairperson