

ATTICA TOWNSHIP
MINUTES OF THE
PLANNING COMMISSION
MAY 28, 2015

At a regular meeting of the Attica Township Planning Commission held on the 28th day of May, 2015, at the Attica Township Hall, 4350 Peppermill Road, Attica, MI 48412.

The meeting was called to order by Chairperson Penzien at 7 p.m. The following members were PRESENT: David Penzien, Geraldean Berry, Kent Gierman, Robert Stockwell, Phil Madeline, and Mark Ochadleus. ABSENT: Bud Fackler. ALSO PRESENT: Associate Planner Sheila Starks, Attorney Gildner and the public per the attached sheet.

REVIEW MINUTES:

The Board having reviewed the minutes of the March 26th, 2015 regular Planning Commission meeting minutes and there being no corrections, additions or deletions:

MOTION by Berry, seconded by Gierman to approve the March 26th, 2015 regular Planning Commission meeting minutes as presented. A vote was taken. Ayes: All. Nays: None. Absent: One (Fackler). **MOTION CARRIED.**

PUBLIC HEARING:

1. **Verizon Wireless Cellular Antenna Special Land Use:** Chairman Penzien 7:01 opened the Public Hearing for Verizon Wireless at 7:01 p.m.

Verizon's representative, Engineer Leland Calloway, reviewed the site plan for placing a new cellular antenna, tower and equipment enclosure on property zoned B-2 General Business and located at 4452 Imlay City Road, in Attica Township. Mr. Calloway addressed the findings of Planner Birchler that required attention. Mr. Calloway also discussed the reason the 195 foot height is needed.

Resident A. Longoria of, 421 N. Lake Pleasant Road, discussed his concerns and questioned Mr. Calloway about the distance of the fence from the property line, and stated that he feels the proposed tower will affect his ability to sell his property. There was discussion.

Resident Tracy Sparks of, 4436 Imlay City Road, stated that the proposed tower will be approximately 350 feet from his front door and will have a negative impact on the desirability of his property. Mr. Sparks sited several studies showing the negative impact of cell towers. Mr. Sparks submitted a letter from himself and his wife Leasa Sparks to be entered into the record. There was discussion.

Resident Cindy Naughton, of 185 Sunset Hills Drive, stated that she does not feel the proposed cell tower would negatively impact property values.

There was discussion and there being no further comments Chairman Penzien closed the Public Hearing at 7:28 p.m.

2. **Ryan Stoldt Agricultural Limited Business Special Land Use:** Chairman Penzien opened the Public Hearing for Ryan Stoldt Agricultural Limited Business Use at 7:28 p.m.

Chairman Penzien distributed pictures of Ryan Stoldt's property located at 412 S. Youngs Road showing the progress of the clean-up of the property to the Planning Commission members.

Resident Andy Duke lives to the north of Mr. Stoldt and stated that there is an average of 20 junk vehicles on the property and that his has been an ongoing problem for the past 12-

13 years. Mr. Duke stated that property values are reduced because of the state of Mr. Stoldt's property.

Three letters from residents opposing approval of Mr. Stoldt's Special Land Use were distributed to the Planning Commission members and submitted for the record.

There being no further comments Chairman Penzien closed the Public Hearing at 7:32 p.m.

OLD BUSINESS: None.

NEW BUSINESS:

1. Planner Birchler, Possible changes in Limited Business Use in the Residential District:

Associate Planner Sheila Starks distributed a memo that Planner Birchler created regarding Residential Limited Business Use. Ms. Starks stated that Planner Birchler feels the current standard does not go far enough to protect neighborhoods from heavy repair operations. There was discussion. Ms. Starks will have a set of standards drafted for the next Planning Commission meeting.

2. Review Verizon's Application for a Wireless Cellular Antenna:

The Planning Commission discussed the fact that there are other areas in the township more suitable for a cellular antenna and that the site plan setback for placement of the antenna does not meet the 195 feet required.

MOTION by Gierman, seconded by Stockwell to deny, for all the reasons stated on the record, the request by Verizon Wireless for special land use approval to construct a new cellular antenna, tower and equipment enclosure, on property zoned B-2 General Business located at 4452 Imlay City Road. A vote was taken. Ayes: All. Nays: None. Absent: One (Fackler). **MOTION CARRIED.**

3. Review Ryan Stoldt's Application for Limited Business Use in the AG District (Auto Repair):

The Planning Commission discussed the fact that Mr. Stoldt has made a major effort to clean up his property but there is more work to be done. Mr. Stoldt stated that he will keep the property cleaned up for his neighbors' sake and his own sake. Mr. Stoldt apologized for the way the property has been taken care of in the past. There was discussion.

MOTION by Madeline, seconded by Berry to table Ryan Stoldt's Special Land Use request to conduct an Automotive Repair Limited Business Use until the next Planning Commission meeting on July 23, 2015 to allow Mr. Stoldt time to complete the clean-up of the property. A vote was taken. Ayes: All. Nays: None. Absent: One (Fackler). **MOTION CARRIED.**

4. Request by Samantha Mason for an Accessory Building in the Front Yard:

Samantha Mason stated that the front yard is the only feasible place to build an accessory building because of the many mature trees on the back of the property and because of the location of the septic the tank the driveway would have to be moved in order to build the accessory building behind the house. Ms. Mason stated that the entire property is lined with trees and that her home is set 365 feet off the road. There was lengthy discussion.

MOTION by Stockwell, seconded by Gierman to approve Samantha Mason’s request to build an accessory building in the front yard on her property at 822 N. Force Road as indicated on the site plan provided by the applicant. A vote was taken. Ayes: All. Nays: None. Absent: One (Fackler). **MOTION CARRIED.**

COMMUNICATIONS AND SECRETARY REPORT: None.

PUBLIC TIME: Carey Lacey asked if Supervisor Ochadleus was present and stated that he would wait to talk to him when he was informed that Supervisor Ochadleus was not present.

ATTORNEY REPORT & CONSULTANTS REPORT Associate Planner Starks distributed two planning briefs to the Planning Commission members.

There being no further business before the Planning Commission, **MOTION** by Gierman seconded by Berry to adjourn the meeting at 8:08 p.m. A vote was taken. Ayes: All. Nays: None. Absent: One (Fackler). **MOTION CARRIED.**

Bud Fackler, Secretary of the
Attica Township Planning Commission

Valerie Schultz, Recording Secretary