

Minutes of the Clay Township Planning Commission held on Wednesday, July 11, 2001 at 7:30 p.m. in the Clay Township Board Room, 4710 Pte. Tremble Road, Clay Township, Michigan.

1. Meeting called to order by Chairperson Mark Getman at 7:30 p.m.
2. R/C: Mark Getman, Chairman, John Makuch, Secretary, Pat Sharrow, Diana Decker, Sandra O'Conner, Louse Cooper, Dorothy DeBoyer.
Absent: Chuck Michel (excused). Also present were Wade-Trim Consultant Linda Anderson and Building Department Administrator Michael Kras.

3. **Communications:**

Update on St. Clair County Planning review of the rezoning at Anchor Bay Drive & M-29.

4. **Approval of the June 27, 2001 Minutes:**

Moved by Cooper, supported by DeBoyer, **MOTION CARRIED**, to approve the regular Planning Commission meeting minutes of June 27, 2001 with the correction on the last page, Motion made to deny the special approval land use should indicate Cooper supported the motion by Makuch and not DeBoyer. AYES: All. NAYS: None. ABSENT: Chuck Michel (excused).

5. **LOT SPLIT 01-09 - JUDITH MANN. 8076 MCKINLEY**

Motion by Sharrow, supported by Makuch, **MOTION CARRIED**, to recommend approval to the Township Board for Lot Split #01-09, 8076 McKinley Road for Judith Mann because it meets all the conditions of the Zoning Ordinance. AYES: All. NAYS: None. ABSENT: Chuck Michel (excused).

6. **SITE PLAN CONSIDERATION/SPECIAL APPROVAL LAND USE:**

SPRINT PCS3273 S. CHANNEL DRIVE (UNITED ACQUISITION SERVICES)

Chairman Getman explained the procedure to follow for the public hearing.

Barry Wurgler and Scott Romesburg representatives from United Acquisition Services:
Presented a summary of the proposed project.

Open it to the floor for comments from the public:

Robert Bryson, 3272 S. Channel: Owner of the property, location of the tower is off Green Drive, obscured within the woods, could not see the ground equipment from Green Dr.

Dan O'Barsky, 102 N. 8th Street, St. Clair: Work for a utility that covers this entire area, cell phones do not work well in the area, highly recommend any type of system that will improve communications, especially if there is an injury or a rescue where help is needed fast.

Richard Baker, Stone Road: Airport on Harsens Island, will it interfere with that?

Eric Stanczak, 7385 Venice Hwy.: Will the installation of a Sprint Tower affect any of our phones? Don't have Sprint and will it give a better reception to other companies?

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Chairman Getman: Co-location is tower allowing other companies to transmit; usually a special approval land use condition is requiring a cell phone tower to allow other companies to co-locate.

Officer Greg St. Coeur, Representing the Police Department: Communication problem on the Island especially at the far end of Green Drive, would recommend an antenna put up for better emergency communication with our Dispatch, EMS, Police and Fire frequency.

Barry Wurgler: Part of the process for getting tower approved have to comply with local zoning regulations, but also the FAA and FCC regulations, 150' is the maximum safe height we can go; standing agreement that other national carriers can co-locate on our towers, application completed to start the process; 50% of 911 calls are made on wireless phones, agree with the gentleman spoke earlier, minutes can make a difference in an emergency situation.

Close the public hearing.

Chairman Getman: Application already made to ZBA for the 150' height tower, comments regarding this.

John Makuch: How much space for other carriers ? How is the tower gong to be lighted?

Dan O'Barsky: Space for at least two other carriers. No light unless the FAA comes back and requires it.

Dorothy DeBoyer: Questioned the colors on the map.

Dan O'Barsky: Red shows the best coverage reception, yellow is the weaker coverage area.

Sandra O'Conner: Would a cell phone user have to be a Sprint customer to benefit from tower?

Dan O'Barsky: At this time until another carrier hooks up to it.

Pat Sharrow: Asked Mr. Bryson how close is the dredge stockpiling to this area? Do you have anything to do with the stockpiling on this side next to the Ferry?

Robert Bryson: No do not have anything to do with stockpiling next to the Ferry.

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Motion by Makuch, supported by Sharrow to grant the Special Approval Land Use for United Acquisition Services to build a Sprint PCS Tower on the property at 3272 S. Channel Drive with the following conditions:

- **Sprint allows co-location with other wireless service carriers that should request it in the future on this tower.**
- **Zoning Board Of Appeals grants the variance for 150' tower height.**
- **All relative Federal and State permits are made available to the Township prior to the issuing of the building permit.**
- **Should lighting be required on the tower, it must be to the absolute minimum.**

Amend motion to include the following condition: Clay Township emergency units (i.e. Police, Fire, DPW) be allowed to use the tower at no cost to the community.

AYES: All. NAYS: None. ABSENT: Michel.

MOTION CARRIED.

Moved by Sharrow, supported by Makuch, MOTION CARRIED, to approve the site plan for the Sprint PCS Tower constructed on the property at 3272 S. Channel Drive. AYES: All. NAYS: None. ABSENT: Michel.

7. CHAIRMAN'S REPORT

Chairman Getman: For the Board's information regarding Township Attorney presence at Planning Commission and ZBA meetings; concerns indicating may be heading into some legal issues as a result of motion made at the last Planning meeting regarding the Horvath issue; assurance with Attorney present the motion was made, Counsel would have informed Board motion was not suitable.

9. PLANNING CONSULTANT'S REPORT: Map should have it back this week, will send copies to you. Strip Mall (Turn-Key Developers) update, meet all the requirements, continue to be very nice to work with, very cooperative.

Mike Kras: Turn-Key came in with plans today, need to have seal signed, letter for MOOT re: traffic light, will be applying for the demo permits for the homes, very cooperative, Sign Company has already contracted the Building Department.

10. **PLANNING COMMISSION COMMENT:** John Makuch: Comment regarding the Horvath issued.

11. **PUBLIC COMMENT:** None.

12. **ADJOURNMENT**

Moved by Decker, supported by DeBoyer, MOTION CARRIED, to adjourn the meeting at 8:30 p.m. AYES: All. NAYS: None. ABSENT: Michel.

**Valerie J. Kulba
Recording
Secretary**