

**SHIAWASSEE COUNTY PLANNING COMMISSION  
PUBLIC HEARING/BOARD MINUTES  
DECEMBER 9, 2015**

**Call to Order:** Robert Ebmeyer called the regularly scheduled monthly public hearing of the Shiawassee County Planning Commission to order at 7:00 P.M. on December 9<sup>th</sup>, 2015. The hearing was held within the County Board of Commissioners' meeting room located on the first floor of the Surbeck Building, 201 N. Shiawassee Street, in Corunna, MI.

**Roll Call:** Present: Steve Andrews, Bonnie Reno, Walt Saxton, Robert Ebmeyer, John Horvath and Bonnie Ott. Absent: William Thelen.

**Also present:** Peter Preston, Community Development Director and Matthew Lafferty, Land Use Planner.

**Excused Absences:** **Motion:** Noting that William Thelen had stated he would be unable to attend prior to the tonight's meeting, Reno moved to excuse him. **Support:** Ebmeyer. **Motion carried:** 6 ayes, 0 nays.

**Pledge of Allegiance:** Ott led the Pledge of Allegiance to the Flag.

**Proof of Publication:** The board was informed that a legal notice of the scheduled hearing was placed within the Shiawassee County Independent Newspaper on November 22<sup>nd</sup>, 2015. Ott declared the hearing as legally noticed.

**Approval of the Agenda:** **Motion:** Reno moved to approve the agenda as printed. **Support:** Saxton. **Motion carried:** 6 ayes, 0 nays.

**Approval of Board Minutes:** **Motion:** Horvath moved to approve the November 4, 2015 board minutes as printed. **Support:** Saxton. **Motion carried:** 6 ayes, 0 nays.

**Board of Commissioner Comments:** None.

**Call to the Public on Non-Agenda Items:** None.

**Old Business:** None.

**New Business:**

**Application Request #PSUP15-09**

**Applicant** – Skyway Towers, Representative: Andrew Webber, Telecad Wireless.

**Property Owner** – Ronald and Paulette Riley

**Site Location** – V/L Riley Rd., Owosso, MI 48867; **Tax Id.#** 78-003-25-100-002, Section 25, New Haven Township.

**Request** – Special Land Use & Site Plan approval for a 240’ self-supporting lattice Communication Tower and associated equipment within a 10,000-sf leased area.

**Ordinance Reference** – Section 4.3.16, Communication Towers

Ott opened the public hearing and asked for the staff report.

Lafferty presents the staff report.

Ott asked for the applicant’s statement.

Andy Weber explained the proposal and that they would start with a 65’ by 65’ compound area and that the tower will be able to support four carriers. They will expand the compound area within the 100’ by 100’ leased area when other carriers co-located with them. There was no landscaping proposed since the tower is approximately 1,200’ off of the road. The applicant presented propagation maps and explained the coverage areas.

Ott called for other comments in support of the applicant. Hearing none Ott called for comments from the Township. Lafferty stated that the New Haven Township Board voted unanimously to approve in a letter dated December 7, 2015.

Ott called for comments in opposition of the applicant. Hearing none, Ott closed the public hearing.

The Planning Commission deliberated. Ott entertained a motion.

**Motion:** Reno moves to approve PSUP15-09, Skyway Towers, request for a 240' self-supporting lattice type communication tower, a 10’ by 11’ (110-sf) equipment shelter, a 1,000 gallon propane tank and a propane-powered emergency generator within a 100’ by 100’ (10,000-sf) leased area, as submitted Telecad Wireless on behalf of Skyway Towers, to be located on the south side of E. Riley Rd., and as legally described in Section 25 of New Haven Township (Parent Tax I.D. 78-003-25-100-002) based on the following reasoning and conditions:

Reasoning:

1. Subject to the conditions provided below, it is found that the petitioned special use permit for a wireless communication tower and associated facilities meets the general standards as provided for in Article 12 of the Ordinance.
2. Subject to the conditions provided below, it is found that the petitioned site plan for a communication tower meets the general standards as provided for in Article 14 and specific use standards set forth under Section 4.3.16.

Conditions:

1. Provide information as noted by this staff report as having not been provided for on the site plan or in supplemental information. Compliance shall be determined by the

Community Development Department prior to the issuing of permits or authorization of construction of the petitioned use.

2. Compliance with the provisions of the Zoning Ordinance shall be determined by the Community Development Department prior to the issuing of permits or authorization of construction of the petitioned use.
3. The applicant has provided appropriate documentation that the facility is intended to accommodate multiple wireless carriers and satisfy a deficiency in their provision of services.
4. Include buffering that has 6' spruce trees all around the leased area.

**Support:** Horvath.

**Roll Call Vote: Ayes to approve:** Steve Andrews, Bonnie Reno, Walt Saxton, Robert Ebmeyer, John Horvath and Bonnie Ott. **Nays:** None. **Motion carries:** 6 ayes, 0 nays.

**Application Request #PSUP15-11**

**Applicant** – Carol Bernard Bergmann

**Property Owner** – Kurt E. Roll

**Site Location** – 4881 W. Tyrrell Rd., Owosso, MI 48867; **Tax Id.#** 78-010-32-300-005, Section 32, Bennington Township.

**Request** – Special Land Use & Site Plan approval for a Commercial Kennel.

**Ordinance Reference** – Section 4.3.43, Commercial Kennels

Ott opened the public hearing and asked for the staff report.

Lafferty presents the staff report.

Ott asked for the applicant's statement. The applicant handed out additional drawings showing distances to property lines and proposed fencing. The applicant explained that she raised and showed dogs for personal use. The dogs would be in a heated and air conditioned building with its own well and septic. There are also three fenced in dog runs.

Ott called for other comments in support of the applicant. Hearing none Ott called for comments from the Township. Lafferty stated that the Bennington Township Planning Commission and the Township Board recommended approval in a letter dated November 4, 2015.

Ott called for comments in opposition of the applicant.

Dave Bott, a neighbor, spoke in opposition and had concerns about buffering. Glen Wunderlich, a neighbor, spoke in opposition. He had concerns with the amount of dogs. John Buck, a neighbor, spoke in opposition. He had concerns about sanitation control and disease control. He was also concerned with what happened if the applicant were to move.

Ott asked the applicant for any rebuttal comments. The applicant addressed the comments stating that her current facility hasn't had any complaints. The Health Department is requiring a new septic for sanitation and any waste is put in a dumpster and removed. The dog kennel is insulated, heated and has sound absorbing walls. There are 12 indoor stations which are more than needed at the time, but she has the extra room in the case that there are puppies. The fencing is usually 3 boards with wire approximately 5' tall.

Ott closed the public hearing.

The Planning Commission deliberated.

Preston reads the General Standards for Approval. Ott entertained a motion.

**Motion:** Andrews moves to approve PSUP15-11, BERGMANN, Special Land Use Permit/Final Site Plan request for a commercial kennel to be located on the south side of W. Tyrrell Rd., and as legally described in Section 32 of Bennington Township (Tax I.D. #078-010-32-300-005) based on the following reasoning and conditions:

Reasoning:

1. Subject to the conditions provided below, it is found that the petitioned special land use meets the general standards as provided for in Article 12 of the Ordinance.
2. Subject to the conditions provided below, it is found that the petitioned site plan for a commercial kennel meets the general standards as provided for in Article 14 and specific use standards set forth under Section 4.3.43.
3. Additional reasoning as presented by the Planning Commission.

Conditions:

1. Provide information as noted by this staff report as having not been provided for on the site plan or in supplemental information.
2. Compliance with the provisions of the Zoning Ordinance shall be determined by the Community Development Department prior to the issuing of permits or authorization of construction of the petitioned use.
3. The duration of the Special Use Permit is for a four (4) year time period from the date of approval, after which review by the Planning Commission is required for renewal.
4. Fencing for all dog runs be at least 5'6" and provide sufficient buffering around the perimeter of the use as determined and approved by staff.
5. The number of animals is limited to no more than twenty-five (25) mature dogs.

6. The boarding of animals other than their own is prohibited.

**Support:** Reno.

**Roll Call Vote: Ayes to approve:** Steve Andrews, Bonnie Reno, Walt Saxton, Robert Ebmeyer, John Horvath and Bonnie Ott. **Nays:** None. **Motion carries:** 6 ayes, 0 nays.

**Application Request #PREZ15-004**

**Applicant/Owner** – 2 E Properties LLC

**Site location** – Lansing Rd., Perry, MI 48872; **Tax Id.#** 78-014-10-300-007, Section 10, Perry Township.

**Request** – Map amendment approval for the rezoning from the A-2, Agricultural Production/Rural Residential District to the M-1, Light Industrial District.

**Action Required** – Planning Commission to submit recommendations to the County Board of Commissioners.

Ott opened the public hearing and asked for the staff report.

Preston presented the staff report.

Ott asked for the applicant's statement. The applicant, Adam Elsesser, said he has been operating nearby and would like to move to a higher traffic location. He currently has two employees and plans on possibly adding two more after moving locations.

Ott called for other comments in support of the applicant. Justin Horvath spoke in support of the applicant and said that regarding infrastructure, they have plans to ensure that water and sewer be provided to the site.

Ott called for comments from the Township. Preston stated that the Perry Township Board approved of the rezoning application at their regular meeting on December 2, 2015.

Ott called for comments in opposition of the applicant. Hearing none, Ott closed the public hearing.

The Planning Commission deliberates.

Preston presented the Finding of Fact. All the findings were in agreement.

**Motion:** Ebmeyer moves to approve PREZ15-004, 2 E PROPERTIES, the petition to amend the zoning district from A-2, Agricultural Production/Rural Residential to M-1, Light Industrial district for property located in Section 10 of Perry Township (Parcel Id. #78-014-10-300-007) as legally described in the petition based on the following reasoning and conditions:

Reasoning:

1. The ten (10) finding of fact outlined in Section 19.5 as detailed in the staff report have been met.

Conditions:

1. The use of the property excludes junk yards and sexually oriented businesses as requested by the applicant on November 2<sup>nd</sup>, 2015. Such exclusions as requested by the property owner shall meet the following provisions as outlined in Article 19, Section 19.11.

**Support:** Reno.

**Roll Call Vote: Ayes to approve:** Steve Andrews, Bonnie Reno, Walt Saxton, Robert Ebmeyer, John Horvath and Bonnie Ott. **Nays:** None. **Motion carries:** 6 ayes, 0 nays.

**2016 Calendar** – Approval of Scheduled Meetings. **Motion:** Ebmeyer moved to approve the Planning Commission’s 2016 Calendar of scheduled public hearings as printed. **Support:** Reno. **Motion carries:** 6 ayes, 0 nays.

**Committee Reports:**

**Ordinance Revision:** Preston said that they are working on revising Article 4 of the Ordinance.

**Future Planning:** Preston said that they are working with the Drain Office on getting mapping for the County.

**Parks and Recreation:** Reno said that they had not meet since the last Planning Commission meeting.

**Gravel Committee:** None.

**Communications Received:** None.

**Directors Comments:** None.

**Public Comments:** None.

**Adjournment:** **Motion:** Reno moved to adjourn. **Support:** Andrews. **Motion carried:** 6 ayes, 0 nays. The public hearing adjourned at approximately 8:55 P.M.

Recording Secretary – Matthew Lafferty

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Approval Signature,  
Shiawassee County Planning Commission

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Approval Date