

ALGOMA TOWNSHIP PLANNING COMMISSION MINUTES  
Tuesday, February 20, 2007

A meeting of the Algoma Township Planning Commission was held on Tuesday, February 20, 2007, at 7:00 P.M. The meeting was held at the Algoma Township Hall located at 10531 Algoma Ave., Rockford, MI 49341.

Vice-Chairman Newberger called the meeting to ORDER at 7:01 P.M. and led in the Pledge of Allegiance to the Flag.

PRESENT: Vice-Chairman Newberger, Secretary Poolman, Members Bigney, Ensley, Heminger, and Lecceadone.

Absent: Chairman Witham.

Also Present: Supervisor Hoemke, Site Plan Review Committee Members Bates and Sjogren, Township Attorney Brown, Township Engineer Bruggink, Communications Advisor Felde, and 9 citizens.

APPROVAL OF MINUTES:

**Minutes of the January 16, 2007, meeting** - Secretary Poolman motioned to APPROVE the minutes of the January 16, 2007, \*MEETING as presented, seconded by Member Heminger. The motion PASSED.

**Acceptance of Site Plan Review Committee's report for Site Plan #0702** - Member Lecceadone motioned to ACCEPT into the record the report of the Site Plan Review Committee for Site Plan #0702, seconded by Secretary Poolman. The motion PASSED.

**7:04 P.M. - Member Bigney arrived at the meeting.**

AGENDA APPROVAL:

Item B., 10 Mile Road Corridor discussion, and item C., Use Variance discussion, were added under New Business, A.

Member Lecceadone motioned to APPROVE the agenda as amended, seconded by Secretary Poolman. The motion PASSED.

PUBLIC COMMENTS:

There were no public comments.

CORRESPONDENCE SENT & RECEIVED:

\*CORRECTION PER 3/20/07 MINUTES



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the Vanderhyde property that show there is quite a large hole giving no, or minimal, coverage if they were to use the Nextel tower. She stated they are starting coverage with sites in Sparta and coming towards US131. With the Vanderhyde site, it would sufficiently connect the network.

Member Bigney asked why the tower isn't farther north.

Ms. Thompson said they do plan on going farther north on another site and when that site is turned on it will connect the area at Hanna and 17 Mile Rd., in Solon Township.

Member Heminger asked if this would cover the township so we don't have to have another tower.

Vice-Chairman stated it would apply to this area.

Member Ensley asked about a tower site shown on the map for 10 Mile Rd. just west of Pine Island Dr. in Algoma Township.

Ms. Thompson said, regarding the 10 Mile Rd. site shown, they are proposing to go there so then 10 Mile Rd., 13 Mile Rd. and 17 Mile Rd. would have coverage. They don't have these sites all approved yet. She said they won't have anything coming within the next six months.

Communications Advisor Felde addressed the Commission regarding his report. He said the township had not yet addressed this area of the township for tower coverage so he looked at this in detail. He said until now the area wasn't desirable for carriers because the population didn't exist but that has changed over the years. He said he has studied coverage maps for the township and surrounding areas. It is deceiving when you study the maps with all towers turned on because a carrier won't use all those sites. T-Mobile is proposing to use the water tower location in Sparta and two others, 10 Mile Rd. and 13 Mile Rd. He said he reviewed the Nextel tower next door to the township hall but found it isn't very conducive for co-location because it is too close and overlaps so they would have a hard time controlling the signal. He explained limiting signals or else there is interference and dropped calls.

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Advisor Felde said he did not include the 17 Mile Rd. coverage on the map because it is only proposed and there is no guarantee that it will be approved but he wants to keep track on what they have proposed. He said his choice for a tower location would be the proposed site on Pine Island Dr. because it does work well. He said he also noticed their future 10 Mile Rd. site but he would have a serious discussion regarding that site should they come in for review because of what is taking place in Plainfield Township. He said he has been looking at the big picture including towers in Plainfield Township and their coverage areas. He said there are reviews taking place now where Consumer Power poles are being considered for new carriers and they are trying to think of locations where carriers would want to jump from and replace with the wooden poles. They are also looking at the visual impact and what equipment could sit at the bases of these poles.

Member Bigney asked what distance would a 180' tall tower cover.

Advisor Felde said about a three mile radius. He said it also depends on other factors such as terrain and whether you were in a building and a building's composition. He said we are not required under the Federal Communications Act to give saturated coverage to these companies.

Vice-Chairman Newberger asked what Advisor Felde's recommendation was.

Advisor Felde said the township could approve it knowing it was technology, a good site that other carriers would want to be there and it is a suitable addition to the township's wireless portfolio. He also added, as he has experienced in the past if this is not a high-priority with T-Mobile, he has seen other carriers get approval and then rest on it. He said the township could let them pursue other sites first.

Member Heminger asked about the other proposed sites shown.

Member Lecceadone asked if he had spoken with T-Mobile's engineers.

Advisor Felde said he didn't see a need for the proposed towers right now. He said as far as talking with their engineers, it is hard sometimes to communicate with them but it didn't really

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matter because the question being considered was if the township is providing enough infrastructures for this community. He said this is not a bad location and it is pretty close to being half way between Sparta and US131. It would be an equal distribution of the signal and this site could function fully and get maximum coverage.

There was more discussion regarding terrain and shadowing and that was why the Nextel tower ended up where they were at on Rector St. because of the valley terrain.

Member Ensley asked if there would be an issue having the Vanderhyde site and the Rector/Nextel site up at the same time with interference.

Advisor Felde stated no, he didn't see an issue there. He presented a Federal Airways & Airspace Summary Report which he presented to the township.

Supervisor Hoemke stated that Richard Roberts from the Sparta Municipal Airport came into the township office and asked about a FAA report.

Advisor Felde stated the FAA did not have any issues with this tower location.

Member Lecceadone motioned to ADOPT the Resolution approving Site Plan #0701, Special Land Use, conditioned on the four recommendations on Page 2 of the Drew Wireless (Andy Felde) report of February 2007, seconded by Member Bigney. The motion PASSED unanimously.

NEW BUSINESS:

**SITE PLAN #0702 (CHANGE OF USE - COMMERCIAL)**

**KELLERMEIER PROPERTIES**

**12201 Northland Dr.**

**Rockford, MI 49341**

**Parcel #41-06-12-228-002**

**Mailing Address:**

**10427 Courtland Dr.**

**Rockford, MI 49341**

Mr. Rick VandeKerkhoff of Prudential was present along with Blaine Kellermeier of Kellermeier Properties.

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Mr. VandeKerkhoff said he was working with the seller and the Fastenal Company that is currently operating their business in Plainfield Township on Belmont Ave. They want to move into this building in Algoma Township because of the better traffic flow on Northland Dr. He said Mr. Kellermeier would lease the building to the Fastenal Company. This building was previously owned by Neil Emmory to store his vehicles in so now it required a Change of Use.

Vice-Chairman Newberger asked what kind of business Fastenal was.

Mr. VandeKerkhoff said Fastenal is a distributor of tools and fasteners that are delivered to local businesses. He said the location can pull customers from Sparta, Cedar Springs, and Rockford in this location. He said the addition may not be constructed until the future so they wanted that approval before they moved there.

Vice-Chairman Newberger asked if they had received a copy of the Site Plan Review Committee's report dated January 30, 2007.

Mr. VandeKerkhoff stated yes, they did receive a copy of the report. They also received a copy of the report from Township Engineer Bob Bruggink.

Vice-Chairman Newberger asked Engineer Bruggink to review his report.

Engineer Bruggink stated he reviewed the plan but did not make a site visit because of the snow and he would not be able to see anything. He said the only concern might be a grading issue. This is an approved site so he doesn't see any problems with adding the addition as long as it doesn't create a dam with the additional parking spaces on the south side. He didn't think there have been any problems in the area currently and he was assuming the swale is in place that is shown on the plan.

The applicants stated it was.

Engineer Bruggink said the soils are hit and miss in this area for drainage. When he has looked at Scott's Ceramic Tile next door to the north, they always seem to have standing water in their pond.

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Engineer Bruggink said the Lazer Skate site located behind this site had to put in a retention pond and that seems to be working. He said when the addition goes in the applicant will need to bring the storage capacity up to date because the previous plan was approved prior to the Storm Water ordinance. He said they would need 1/2 \*50 PERCENT more of the storage capacity and this could be difficult with the drain field location. He said he reviewed the Scott's site for where their retention pond was located and it is on the other side of their site so that is not an issue. He said the site appears to be very "\*doable" and what is there is working now so he would be looking at a minor addition to the retention \*POND.

Member Lecceadone asked if this was considered warehousing and not retailing.

The applicants stated that was correct.

Vice-Chairman Newberger stated when the snow is gone; they will comply with the requirements of Engineer Bruggink.

The applicants agreed.

Engineer Bruggink said he would think the pond would be more of the traditional rectangular size pond and said he would want to see soil borings showing the water will perk away properly.

Vice-Chairman asked if this Change of Use with the future addition for the building would have any time constraints as to the timing of the addition or if it just goes with the site plan approval.

Attorney Brown stated the Commission could put a time frame on the addition if they so choose.

Member Lecceadone asked if the addition could come in as a Minor Change to the Site Plan Review Committee instead of having to come back to the Planning Commission. The township engineer's approval would also have to be satisfied along with the office review.

Attorney Brown stated they could put that condition on the approval.

\*CORRECTIONS PER 3/20/07 MINUTES

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Engineer Bruggink stated that when the building addition and additional parking spaces are added he felt there are options available to comply with the Storm Water ordinance.

Vice-Chairman Newberger asked if people could come in to purchase their items.

The applicants stated that about 80% of their business is delivered. They use pickup trucks for deliveries and bring the trucks home at night. They said there would be no storage of items outside, no crates piled up; it would be a very clean operation. They said there were wall-pack lights on the building and they were not adding any additional lights than what was already there.

The Commission reviewed the Site Plan Review Committee's report.

The applicants said the dumpster is outside and when the addition goes on, it would need to be moved and relocated on a hard surface and screened. They said they were providing more than enough parking for the addition to meet ordinance requirements and if they find they must reduce the storm water run-off, they would be able to lessen the parking spaces. They agreed to pull the sign back off the road right-of-way to meet ordinance requirements.

Vice-Chairman Newberger asked if currently there was a cross access agreement in place and was told yes, the driveway is shared and in place already.

Member Lecceadone motioned to APPROVE Site Plan #0702, Change of Use, dated January 19, 2007, with the conditions of the Site Plan Review Committee's report and that the future building addition would have township engineering approval for storm water modifications to be handled in the township office as a Minor Change when developed, seconded by Member Bigney.

Discussion: Vice-Chairman Newberger asked that the motion include that soil borings would be provided to Township Engineer Bruggink as necessary to show the types of soils on the site. Both Member Lecceadone and Member Bigney agreed to the amendment.

The motion to approve PASSED unanimously.

**10 Mile Road Corridor discussion -**

Supervisor Hoemke presented a memo dated February 20, 2007. He said the Plainfield Township Planning Commission is currently working on their new Master Plan and may ask that the municipalities reconsider the LDR/3 units per acre designation in the 10 Mile Road Corridor. He said the Plainfield Township Planning Commission may consider going to a straight 1-unit/1-acre maximum. Some residents are asking for this. He said this would seem to be in line with what we have because it is designated currently as R-R (Rural Residential) 1-unit/1-acre. He said if all were to agree we would send a letter so all could move forward with amending Master Plans.

Member Lecceadone stated it would not change with what Algoma's designation currently calls for now.

Vice-Chairman Newberger agreed.

Review Member Bates stated that Meijer's P.U.D. already allows 3 units per acre.

Supervisor Hoemke said that is in place already and couldn't be changed but the rest of the area would.

Member Lecceadone motioned to send a Statement of Support to Plainfield Township regarding amending the 1-unit/1-acre designation for the current LDR - 10 Mile Road Corridor Master Plan, seconded by Member Heminger. The motion PASSED unanimously.

**Use Variance discussion -**

Supervisor Hoemke stated Attorney Brown had submitted a letter dated February 19, 2007, regarding amending the Zoning Board of Appeals authority on Land Use variances. He said the Township Board has talked about this and agreed. Currently, the Planning Commission makes a recommendation to the Township Board and both support a decision for a zoning designation or, (i.e. rezoning) only to have the applicant go to the Zoning Board of Appeals to have a Use Variance approved. He said up to this point, it hasn't ever happened where a decision of the Planning Commission and

Township Board has been overturned by the ZBA as a Use Variance but they have the jurisdiction to do so.

Supervisor Hoemke stated this is not something the Board wants in the zoning ordinance and this amendment will take care of that.

Attorney Brown stated the amendment would \*REDUCE narrow down the jurisdiction of the Board of Appeals and the last word on uses would be through the Planning Commission and Township Board. The ZBA would still handle the Dimensional Variance hardship requests but no longer have Use Variances.

Member Bigney asked if a Use Variance was good to have.

Attorney Brown stated someone could ask for a use that wasn't listed under the ordinance but that is why the township added a catch-all to the end of the districts to allow for things that we didn't think of.

Secretary Poolman motioned to SET PUBLIC HEARING for March 20, 2007, for an amendment to the zoning ordinance to repeal the Zoning Board of Appeals authority on Land Use Variances, seconded by Member Ensley. The motion PASSED unanimously.

ON-GOING BUSINESS:

**Tickler File** - Is attached and made a part of these minutes.

**Master Plan 5-Year Update** - Supervisor Hoemke said the sub-committee will meet regarding this and hold a public input meeting for the Northland Drive Corridor so they can address it in the Master Plan.

**Ordinance Amendments -**

Condominium Ordinance Amendments: Vice-Chairman Newberger reported they need to look at the document changes Attorney Brown has made.

It was discussed that a public hearing was needed for this Condominium language and for the Slopes & Unregulated Wetlands

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amendments and should be held next month at the same time the Use Variance amendment was heard.

Member Bigney motioned to SET PUBLIC HEARING for March 20, 2007, for the ordinance amendments, seconded by Secretary Poolman. The motion PASSED unanimously.

**Representative Reports -**

Township Board: Member Bigney had no report.

Board of Appeals: Secretary Poolman reported the Board met to approve the minutes of the Encore meeting.

**Any Other On-Going Business -**

Member Lecceadone stated that he noticed the Meijer store no longer markets itself as the "Algoma Meijer" but now states it is the "Rockford Meijer". He said they also have been storing their rock salt bags in the front of the store which was not approved by the Planning Commission.

Supervisor Hoemke stated they came into the office and received verbal permission from the Zoning Administrator to put the salt bags in front of the store for customer pick up.

NEXT MONTH'S MEETING: Tuesday, March 20, 2007 - 7:00 P.M.

ADJOURNMENT:

Member Bigney motioned to ADJOURN the meeting at 8:35 P.M. The meeting was ADJOURNED.

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Jack Poolman, Secretary

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Julie M. Sjogren, Recording Secretary