

Keweenaw County Planning Commission
Minutes – December 20th, 2011
Public Hearing and December Meeting

Keweenaw County Courthouse 6:01 PM

Roll Call: Jon Soper, Chairman Steven Siira, member
 John Parsons, Vice Chair Jim Huovinen, member
 Richard Schaefer, member Ned Huwatschek, member
 Tom Hall, member Don Piche, member, County
Commissioner
 Ann Gasperich ZA
 All members present

The Pledge of Allegiance was lead by Jim Huovinen

The Public Hearing Agenda was approved,

Open Public Hearing to listen to comments regarding the Special Use Permits for Verizon Wireless/SBA Towers Delaware/Mandan, Lake Medora and Brockway/Copper Harbor Site:

Public Comment -- Property Owners within 300' ** NONE PRESENT

Written Comments Property Owners within 300'were read

In Support

Jason Manders – Parcel to the North of Brockway Site
Grant Township Parcel to the North East of Brockway Site
Tom & Lani Poynter – Parcel to the North of Delaware Site

In Opposition

None received

Public Comment from Interested or affected persons/organizations**in the audience were heard from Alex Protzel, Ed Kisiel, Charlie Hopper, Ken Stigers and Ray Chase.

Letters were read

In Support

Keweenaw County Road Commission
Keweenaw Mountain Lodge
Mount Bohemia
Tim Baroni

In Opposition

Eagle Harbor Township
Keweenaw Land Trust

Public Comment from Interested or affected persons/organizations**in the audience were heard from Charlie Hopper, Ed Kisiel, Ken Stigers and Ray Chase.

Basis of Determination

The Special Land Use shall be designed, constructed, operated and maintained in a manner harmonious with the character of adjacent property and the surrounding area.

Chairman Soper - It is harmonious for communications yes, if we are trying to provide communications it gets us a long way, it is within a wildlife corridor and light pollution is there

Special Land Use shall not change the essential character of the surrounding area.

John Parsons - There are towers now, it doesn't bother me at all

Don Piche - We look west to the radar base

Jim Huovinen - There is a tower on the other end of Brockway and one at the Mountain Lodge.

Richard Schaefer - It isn't the first tower, it isn't inconsistent

Chairman Soper - Were alternate locations reviewed as in the Mountain Lodge

Nathan Haupt - It was eliminated because of the historic property, fall zone and capacity.

Ned Huwatschek - at any height?

Nathan Haupt - There is a 'blind spot' at the base of Brockway, until testing we won't know.

Jim Huovinen - How do you test?

Nathan Haupt - with SUV's and vans with a constant transmit & computer modeling

The Special Land Use shall not be detrimental to the health, safety or welfare of persons or property through the excessive production of traffic, noise smoke, fumes, ground vibration, water runoff, odors, light, glare or other features of the proposed use

There is an issue with the FAA required light. It is not a public safety issue.

The Special Land Use Shall not place demands on public services and facilities in excess of current capacity unless planned improvements have already been scheduled for completion.

The road will not be plowed. Power and telephone will be brought to the site by the applicant at their expense; the buildings contain with own fire suppression system.

The Special Land Use shall meet the site plan review requirements of Part IV of Article XVIII and in particular those of Section 18.8.3 and 18.25

Complete

The Special Land Use Shall meet the requirements of Section 10.12 Specific to that use

The location of a proposed communication tower shall not be approved unless the Zoning Administrator determines that the communication equipment planned for the proposed tower cannot be accommodated on an existing or approved tower or building located within the applicant's search radius of the proposed tower due to one or more of the following reasons

Chairman Soper - Have you researched all of the potential sites?

Nathan Haupt - Yes, please refer to the narrative

Subject to the setback and other requirements of this Ordinance, a communication tower shall be located on a parcel of land so as to provide a fall zone of not less than one hundred ten percent of the height in the tower to any lot line. This fall zone shall be maintained throughout the existence of the communication tower. No land division shall be approved which would violate this provision.

Chairman Soper - Within that regard, we make the permit contingent upon the ZBA Approval

Nathan Haupt - This tower is designed to fall over on itself. Structurally it is strongest at the base. They are designed to move in the wind so they don't snap. The South variance is 100% to the right of way and 118% to the roadway. The North variance is 94% to the property line. We have an email from the property owners to the north not opposed to the height.

Communication towers shall be of a monopole or self-supporting lattice design, unless the County Board of Commissioners finds that an alternative design will not adversely impact the surrounding area.

It is a self supporting lattice design.

Proposed wireless telecommunication towers of the guyed or self-supporting lattice type shall be structurally designed to accommodate both the applicant's antennas and comparable antennas for at least two additional users. Proposed monopole wireless telecommunication towers shall be structurally designed to accommodate both the applicants antennas and comparable antennas for at least one additional user. All towers must be designed to allow for future rearrangement of antennas upon the tower and to accept antennas mounted at varying heights.

The tower will accept other antennas, at least two.

The base of the tower and wire/cable supports shall be fenced with a minimum six foot climb resistant fence.

The site plan shows a 6' high fence

All communication towers erected, constructed or located within the County shall comply with the following requirements: 1. Discontinuance and Abandonment, 2. FAA Lighting requirements and 3. No advertising. See Ordinance for detail regarding the three compliance requirements.

SBA Towers III LLC and Verizon are aware of these requirements. The security light will shine on the walkway, FAA has jurisdiction over the number and location of the lights on the tower, there is also federally required signage to be in compliance with. There will be no advertising.

The Special Land Use shall meet the requirement for parking, landscaping and signage as required in Articles XIV, XV, and XVI respectively

Refer to site plan

The Special Land Use shall demonstrate compliance with all other related requirements of this Ordinance

Yes

The Special Land Use shall conform with all applicable County, state, and federal requirements for that use.

Yes

The applicant is in substantial compliance with any previously issued Zoning Permits and is not otherwise disqualified from receiving a permit under Section 21.7 of this Ordinance.

Yes

Public Comment again taken from Interested or affected persons/organizations**in the audience were heard from Charlie Hopper and Ed Kisiel

The public hearing was closed at 8:58 PM. A short recess was taken

Meeting was reconvened at 9:01 PM

All members were present

Due to the lateness of the hour, the Regular Meeting Agenda was modified to remove AT&T Fiber Optic and place it on the January agenda. M/S/P John Parsons/Jim Huovinen passed

Approve regular meeting minutes of November 29, 2011.

M/S/P Tom Hall/Steve Siira

Approve the minutes of the Public Hearing of December 20th, 2011

No minutes available

New Business Brought down from Public Hearing

A motion by John Parsons/Jim Huovinen to take the three special use permits in one vote. Passed

Richard Schaefer stated the only objection is to the tower on Brockway regarding aesthetics and the wildlife corridor. There is no objection from the adjacent property owner as read into the file, there is support from the County Road Commission, Keweenaw Mountain Lodge, Mt. Bohemia, Tim Baroni, Tom & Lani Poynter, Ray Chase as a resident, the president of the ATV Club and Chairman of the Economic Development Committee, Ken Stigers as a resident, business owner and Supervisor for Grant Township.

Alex Protzel, Eagle Harbor Township and the Keweenaw Land Trust are in favor of increasing the communications but not with the proposed location on Mt. Brockway due to the aesthetics and the wildlife corridor.

A motion was made by John Parsons seconded by Jim Huovinen to approve all three special use permits. A roll call vote was taken:

John Parsons yes, Jim Huovinen yes, Richard Schaefer no, Steve Siira no, Ned Huwatschek yes, Don Piche yes, Tom Hall yes, Jon Soper yes. Motion passed 6-2.

The Zoning Administrator's Report was received via email.

Unfinished Business

None

Correspondence

Eagle Harbor Township Zoning Ordinance Amendments

January meeting date set for January 17th to comply with the 30 day request to review the amendments to the Eagle Harbor Zoning Ordinance.

Public Comments were taken from Ed Kisiel

Commission Final Comments

Richard Schaefer requested of Nathan Haupt a copy of the ASR report to be filled with the FCC as soon as possible.

9:26 A Motion to adjourn, Jim H/Ned H

Adjournment

Next Regular Meeting – Tuesday January 17th, 2012, 4:00 PM
Keweenaw County Courthouse