

**Vergennes Township
Zoning Board of Appeals Minutes**

May 25, 2011

Draft Until Approved

A meeting of the Vergennes Township Zoning Board of Appeals was held on May 25, 2011 at the Township Offices. Chairman Gustafson was absent and member Schreur was absent (with prior notification). Roger Odell filled in as an alternate. He was asked to chair the meeting by the remaining members. The meeting was called to order at 7:10 pm. Also present were members Baird and Wester. Jernberg arrived at 7:34 pm.

Approval of last meeting minutes:

Baird motioned, Wester seconded, to approve the last meeting minutes of October 28, 2010 as presented. Motion carried 3-0.

13101 Beckwith Dr & 9777 Vergennes St – tower setback variance

Applicant Ryan Peel was in attendance to explain the request. He had previously gone to the Township Board and received a special exception use permit to put up two towers to provide high-speed Internet service to the Township. He is looking at a 160' high tower for the Vergennes St address and a 100' high tower at the Beckwith Dr address. The towers location was chosen for topography height and to serve the most concentrated people.

There are fiber lines along Vergennes St to tap into; it is his mother's property next to him. It would serve a 3-5 mile area. The tower base pad would be about 8' by 10'. He had a great response from interested people at the March Expo and has over 200 people pre-registered. Technical speed numbers were mentioned. The east lot line is over 170' to the Consumers Energy power lines that run through the Township. No response from Consumers notice.

The owners of the Beckwith property, Jim and Mary Ann Teft, asked about the lighting. It would be a two-headed light of steady red, designed to go out and up for aircraft. He showed a picture of it. He has FAA approval already. A tower below 80' does not need a light but that is too low for this service. Lisa (13155 Beckwith) asked how high above the trees it would be. Ryan estimated the trees at about 70 feet and about 30 feet will be seen above the treetops. It will be a self-standing tower with about an 8' by 10' pad, tower base 36" in diameter and about 18" at the top. An additional driveway branch area can be made to the tower location by clearing some brush. The power supply will be 110 volts with a box and meter.

Ron Zimmerman at 13049 Beckwith to the west is not in favor of any towers that he must look at. The present tower location was moved since the Township Board meeting to put it farther away but anywhere in the area would be seen. He has a rental house at 13085 Beckwith. Ryan said this location would provide service to the Burroughs area

with all the population in that area and on and near Beckwith. Hard to serve this area with the airport restrictions and the topography. He would run a fiber line to the tower. Lisa spoke up that she needs high speed Internet for work. Ron said that once something new comes in it snowballs into more and more and is opposed to it. Lisa and husband are for it, need it badly. Others nearby want it too. Odell talked to Ron about technology and future needs of people and acknowledged his concern but need to balance concern with the greater amounts of peoples needs.

Jernberg asked what type of tower – Ryan said self-supported, gave him the specifications on it. One is a Rohn and the other a Pyrod type, not designed for extra antennas like a cell tower, narrow at bottom and smaller at top.

Odell asked if there are any other questions. Tim Wittenbach said that the Board approved the special exception use permit. Most of the Township wants and needs this service, the Board is in favor of it, have not been able to get another service to come in, the only objection at the Board meeting was Mr. Zimmerman.

Odell asked how many subscribers were needed to make it work – Ryan answered 150. What about removal of towers if no longer used in future? Vandersloot said that the ordinance requires removal. Baird asked if there was another place Mr. Zimmerman would be happy with it. Ryan said that with the height and AT&T paperwork, it has to stay on this proposed parcel. Baird thought we should do it as two variances and Jernberg thought maybe a time limit to put them up should be considered.

Odell made a motion to approve as two separate variances as presented. Wester seconded with the addition of giving up to 3 years to put the towers up. Mr. Zimmerman stated that his objection means nothing. Jernberg explained the process with public hearing and the ordinance sections. The tower could go up anyway if it meant setbacks and then no hearing. The tower was already moved farther east on the parcel to try to accommodate him. Motion carried 4-0.

Wester motioned, Baird seconded to amend the previous motion to require letters from the two Vergennes owners that they acknowledge their homes are with the fall zones of the proposed tower and to hold harmless any damages to the Township. Motion carried 4-0. The exact wording of the motion for each parcel was written up and signed by the members.

Election of Officers

Baird motioned to keep the same officers (Gustafson – Chairman, Jernberg – Vice Chairman, Schreur – Secretary). Seconded by Jernberg. Motion carried 4-0.

No other business came before the Board.

Adjournment:

Jernberg motioned, Wester seconded, to adjourn the meeting at 8:43 pm. Motion carried 4-0.

Respectfully submitted,
Jeanne Vandersloot, Recorder