

BURT TOWNSHIP

PLANNING COMMISSION

Minutes

September 14, 2023

Burt Township Hall

The Burt Township Planning Commission was called to order by Jay Jontz on September 14, 2023, at 7:00 p.m. at the Burt Township Hall.

PLANNING COMMITTEE ATTENDEES: Jay Jontz, Gene Hodulik, Paul Janness and Matt Landon. Excused Allen Kozlowski.

ALSO ATTENDING IN PERSON: Ken Lane of Beckett and Raeder, Jim Larson, Harold Koviak, David and Ann Klebba, Kim Kihnke, Katie Parker, Dan and KellyAnn O’Hare, Tim MacArthur, and Carolyn Hodulik, Recording Secretary.

PLEDGE OF ALLEGIANCE led by Jay Jontz

DECLARATION OF ANY CONFLICT OF INTEREST: None

APPROVAL OF JULY 13, 2023 MINUTES: Motion by Landon, supported by Hodulik to approve the July 13, 2023 minutes. Motion approved.

REPORTS: Township Board: Hodulik

1. Solar Ordinance update approved by the Township Board to take effect September 27,2023
2. 2300 feet of Phase I trail paved from Mundt Road/East Burt Lake Rd going north.
3. Approved an Investment Policy and Electronic Payment procedures
4. A Burt Township flag is nearing design completion
5. Fee of \$1,000 approved to request a special Planning Commission meeting
6. Several township roads are being tar/chip and sealed at this time
7. Motion passed to agree to participate in the county’s plan for early voting of nine days in 2024 elections.

ZONING BOARD OF APPEALS- Jontz: A 10 foot by 80 foot variance was approved for the Jacob’s Pole Barn. Shared Waterfront Access Licenses were reviewed and two are to be extended two years to have the same renewal dates as all the other licenses.

ZONING ADMINISTRATOR-Larson : Very busy as everyone wants to begin construction before winter sets in.

PLANNING CONSULTANT – Ken Lane of Beckett & Raeder : Despite sending communications to them, there has been no response regarding the “Under The Pines” plan for an October event requiring a

Special Use Permit. PIEG is asking for approval to erect a 100 foot communications tower at the east side transfer station. It will require a Special Use Permit and should be on the agenda for the November meeting. An unofficial request for the method for rezoning a parcel of land was described which would have very similar paperwork, process, and fees as the Special Use Permit. Lane asked for approval of the Planning Commission to create the rezoning application to send to the Township Board. Planning Commission agreed.

OLD BUSINESS:

HIGH SPEED INTERNET—Jontz: Summarized that Spectrum has been recommended to be accepted to receive a ROBIN Grant to cover all of Burt Township for high speed fiber internet, with final approval by mid- October. More detailed information is available on the Burt Township web site. Landon stated that PIEG has fiber installed in front of his home and hookup for \$100 could be a month away.

MASTER PLAN: The Master Plan expires in July of 2024. Handouts of the Community Goals and Objectives from the current Master Plan should be reviewed for the next meeting to determine if still appropriate. A new survey would not be needed if there is very little change in township goals. The last complete survey was about 4 to 5 years ago. The Plan can be a total re-write or a revision. Affordable housing, industrial area expansion and the land use map should all be reviewed with possible changes considered in the new Plan. Presently, towers are only located in industrial areas.

Special Use Permit Discussion for 3909 South Extension: Letters have been received from two neighbors regarding the noise, diesel fuel fumes, and dust generated by the trucks in a residentially zoned area. Last planning meeting the owners were provided with the application and instructions regarding a Special Use Permit, should they wish to apply for one. None has been received. Again reviewing the definition of a cottage industry, this does not meet the criteria for a Special Use Permit. This should be treated as a violation of the ordinance. A “cease and desist” letter for zoning violations is to be sent to the owners. Tim MacArthur, Burt Township attorney, personally observed where the trucks are stored along the easement and stated many easements are very restrictive as to what can be stored there. The commission agreed to send the letter to the owners which will be served by the Sherriff’s Dept.. There was also agreement that the offer by the owners to move the trucks to their Tuscarora Township property should be part of the solution.

NEW BUSINESS

SPECIAL USE PERMIT FOR TAG TOWERS, LLC: The 199 ft. tall tower on the township’s west side transfer station location, requiring an area 100 ft. by 100 ft. was approved. A very detailed written zoning review by Ken Lane, Planning Consultant, showed that all planning requirements were met. The local properties are all vacant and zoning allows this tower on public land owned by the township. There is a 298.5 ft. radius for any dwelling to be built and the adjacent lots are large enough to provide for this requirement. Soil and storm water runoff is managed on the site. FCC and FAA approval are still required. This location will provide the best reception for township residents. Construction is planned for spring, 2024.

Based upon the Planning Commission's deliberations, Commissioner Landon made the following motion:

I move to approve Case SUP #1-2023, a request for a special use permit and site plan approval as submitted by Fred Low-Chaille Tower Consultants obo TAG Towers to allow for the construction of a 199' wireless telecommunications tower on property owned by Burt Township along Indian Road, tax parcel #120-020-300-003-00, in accordance with the submitted application dated August 17, 2023, and as depicted and described on the submitted site plan dated June 22, 2023, because the applicable standards of the Burt Township Zoning Ordinance have been met.

The motion was supported by Commission Hodulik

YEAS: Landon, Hodulik, Jontz, Janness

NAYS: None

ABSTAIN: None

ABSENT: Kozlowski

MOTION ADOPTED and will become effective September 27, 2023

BRAINSTORM – no comments at this meeting.

PLANNING COMMISSION COMMENTS- None

PUBLIC COMMENTS – Mr. & Mrs. Klebba thanked the Planning Commission for the work done to solve the issue at 3909 South Extension Road.

MOTION TO ADJOURN – made by Landon, supported by Janness. Meeting adjourned at 7:47 p.m.

NEXT MEETING – November 9, 2023, at 7:00 p.m. at the Burt Township Hall.

Respectfully submitted,

Carolyn Hodulik, Recording Secretary