

**SUPERIOR CHARTER TOWNSHIP  
PLANNING COMMISSION  
MAY 23, 2018  
APPROVED MINUTES  
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5-1 CALL TO ORDER

Chairperson Guenther called the regular meeting to order at 7:30 p.m.

5-2 ROLL CALL

The following members were present: Brennan, Findley, Guenther, and Sani-Yahyai. Also present were Rodney Nanney, Township Planner, George Tsakoff, Township Engineer, and Rick Mayernik, Building/Zoning Administrator.

5-3 DETERMINATION OF QUORUM

A quorum was present.

5-4 ADOPTION OF AGENDA

A motion was made by Commissioner Findley and supported by Commissioner Brennan to adopt the agenda as presented. The motion carried.

5-5 APPROVAL OF MINUTES

A. Minutes of the April 25, 2018 Meeting

A motion was made by Commissioner Brennan and supported by Commissioner Sani-Yahyai to approve the minutes as revised. The motion carried.

5-6 CITIZEN PARTICIPATION

David Kubiske, Project Engineer for Dixboro House, inquired as to why Dixboro House was not on the evening's Planning Commission agenda. He added that final site plans were delivered to the Township on April 24, 2018 and although the applicant had received comments from WCRC, WCWRC and the Health Department, comments had not been received from the Township.

He went on to state that he does not understand why the project was not included on the agenda when the project still needs to go through the engineering review process. He stated that he felt the Township was not working with the applicant.

Commissioner Guenther replied that the Planning Commission does not make the decision of what is included on the agenda. Additionally, the last time

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Dixboro House was on the agenda, the Planning Commission helped to accelerate the site plan approval process in any way they could.

Mr. Mayernik discussed past practices of the Planning Commission and how the Township granted authority to consultants allowing them to decide whether a project was ready for Planning Commission action. Additionally, the applicant has the ability to appeal the decision to the Township Board of Trustees.

Commissioner Findley suggested that a Special Planning Commission meeting be held to get the applicant back on track.

Commissioner Guenther stated that he supports the idea of a Special Meeting.

Mr. Nanney explained that last week the decision was made to not include Dixboro House on the agenda for this meeting. With Final Site Plan, standards have to be followed and there are details that need to be addressed. One of the standards of Final Site Plan approval is that outside agency approvals are either in-hand or are assured, meaning the outside agency is comfortable with the overall design. That was not the case in this situation. He added that a letter from the WCRC was received stating approval of the applicant encroaching into the right-of-way. That is an issue that will affect the design of the site and had a significant impact on the report.

Mr. Tsakoff stated that the biggest issue was the non-assurance of outside agency permits.

Mr. Kubiske replied that the WCRC stated they were fine with the applicant being in the right-of-way.

Mr. Nanney explained that the decision is based on the Zoning Ordinance, which states that site plan items cannot be in the right-of-way.

Commissioner Guenther stated that this is not an agenda item this evening and the Planning Commission cannot take action on it. He added that he supports scheduling a special meeting and suggested that in the future the applicant call the Township rather than waiting for the Township to call.

Kenneth Schmidt, Superior Township property owner, expressed concerns with the Planning Commission agenda not being posted on the Township webpage.

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Mr. Mayernik replied that the Planning Commission agendas are typically on the webpage prior to the meeting. He stated that subsequent agendas would be posted.

5-7 CORRESPONDENCE

A motion was made by Commissioner Brennan and supported by Commissioner Sani-Yahyai to receive and file a Site Plan Review Report from the Superior Township Fire Chief regarding the SBA Cellular Tower.

5-8 PUBLIC HEARINGS, DELIBERATIONS AND ACTIONS

A. STPC #18-10 SBA Cellular Tower Conditional Use Permit

1. Public Hearing

The public hearing was opened by Commissioner Findley and supported by Commissioner Brennan.

Jonathan Crane, applicant on behalf of SBA Towers, presented several alternate locations that were looked at for the cellular tower site, but were ultimately too close to existing sites. Mr. Crane showed Commissioners a map of the proposed cellular tower site and explained the need for Conditional Use Approval.

A motion was made by Commissioner Brennan and supported by Commissioner Sani-Yahyai to close the public hearing.

Mr. Nanney reviewed the Planner's Report dated 5/16/2018.

Mr. Tsakoff review the Engineer's report dated 5/16/2018.

Discussion was held regarding waiving the screening requirement for the applicant.

Motion by Commissioner Brennan, supported by Commissioner Findley to approve STPC #18-10 SBA Cellular Tower Conditional Use Permit to construct a new, 180-foot tall wireless communication tower and ground equipment enclosure in the M-14 state highway right-of-way at the M-153 interchange, finding that there are no reasonable and suitable alternatives for location of equipment on an existing tower within the proposed tower's service area, and that the proposed tower complies with

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the applicable Zoning Ordinance requirements, including Section 14.02 (Wireless Communication Facilities), subject to the following conditions:

1. The Planning Commission waives requirement for the ground equipment enclosure area and fencing to be screened with a dense evergreen screen around the fence perimeter.
2. Planning Commission approval of STPC #18-11 SBA Cellular Tower Combined Preliminary and Final Site Plan.

Yes: Brennan, Findley, Guenther, Sanii-Yahyai.

No: None.

Absent: Gardner, McGill, Steele.

Abstain: None.

The Motion Carried.

5-9 REPORTS

A. Ordinance Officer

A motion was made by Commissioner Findley and supported by Commissioner Sanii-Yahyai to receive the report. The motion carried.

B. Building Inspector

A motion was made by Commissioner Sanii-Yahyai and supported by Commissioner Brennan to receive the report. The motion carried.

C. Zoning Administrator

A motion was made by Commissioner Findley and supported by Commissioner Steele to receive the report. The motion carried.

5-10 OLD BUSINESS

None.

5-11 NEW BUSINESS

- A. STPC #18-11 SBA Cellular Tower – Combined Preliminary and Final Site Plan.

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A motion was made by Commissioner Findley, supported by Commissioner Sanii-Yahyai, to approve STPC #18-11 SBA Cellular Tower Combined Preliminary and Final Site Plan dated April 24, 2018, to construct a new, 180-foot tall wireless communication tower and ground equipment enclosure in the M-14 state highway right-of-way at the M-153 interchange, finding that it complies with the applicable Zoning Ordinance requirements, including Section 14.02 (Wireless Communication Facilities), subject to the following conditions:

1. All items noted in the Township Engineer's report dated 5/16/2018 shall be addressed by the applicant during the detailed engineering review of the construction plans.
2. All items noted in the Fire Chief report dated 5/18/2018 shall be addressed by the applicant during the detailed engineering review of the construction plans.

Yes: Brennan, Findley, Guenther, Sanii-Yahyai.  
No: None.  
Absent: Gardner, McGill, Steele.  
Abstain: None.

The Motion Carried.

**B. STPC #18-09 Dixboro Village Green Pavilion – Minor Site Plan**

Commissioner Guenther explained that in addition to being the Chair of the Planning Commission, he was also on the Board of Directors for the Dixboro Village Green and would need to recuse himself from this agenda item.

Because there are only three remaining Planning Commission members, no vote can be taken on this item.

It was noted that the architect would still like to present the project to the Planning Commission, so Commissioner Guenther left the room.

Richard Mitchell, architect for the project, understood that there would be no vote taken. He presented renderings of the location and explained parallel parking at the site as well the need to relocate a door on the building.

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It was explained that the pavilion is 17x22 ft<sup>2</sup> and is narrower than the schoolhouse, but everything will be within the boundaries defined by the schoolhouse. Drawings were presented showing where the pavilion would sit on the site and decking materials were discussed.

Mr. Mitchell stated that there were some minor engineering comments that would be addressed at the site prior to the next meeting. Additionally, comments from consultants were minor and the applicant feels that they are on the right track. The plan is to start construction during this building season.

Tom Freeman explained that the Dixboro Village Green was formed in 2012 and is a nonprofit. Additionally, they were the recipients of grants from the Visitors Bureau which will be a good source of the funding for the project.

Mr. Tsakoff noted concerns with the ADA compliance and grades at the site and wants to make sure that it meets requirements.

Mr. Mitchell replied that they will be addressed.

Commissioner Findley stated that she has been a part of the project since the first meeting and is looking forward to seeing the project completed and believes it is an excellent addition to the community.

After the presentation concluded, Commissioner Guenther returned to the meeting.

5-12 POLICY DISCUSSION

None.

5-13 ADJOURNMENT

A motion was made by Commissioner Brennan supported by Commissioner Findley to adjourn at 8:47 p.m. The motion carried.

Respectfully submitted,  
Thomas Brennan III, Planning Commission Secretary

Laura Bennett, Recording Secretary  
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