

**AUGUSTA CHARTER TOWNSHIP  
PLANNING COMMISSION  
AUGUST 18, 2010  
MINUTES**

1) CALL TO ORDER - The Regular Meeting of the Augusta Township Planning Commission was called to order on Wednesday, August 18, 2010 at 6:30 PM.

2) ROLL CALL

Members present: Chie, Keefe, McMahon, Tobler. Excused: Selter, Richardson. Absent: LaFuente. Also present: Planner Laura Kreps.

3) APPROVAL OF MINUTES

Motion by Keefe, supported by Tobler, to approve the minutes of the July 21, 2010 meeting as submitted. Vote was unanimous for approval.

4) APPROVAL OF AGENDA

Motion by Keefe, supported by Tobler, to approve the agenda as presented. Vote was unanimous for approval.

5) PUBLIC HEARINGS – Special Land Use – AT&T Mobility Wireless Communication Facility at 11650 Butler Road

Agent for AT&T Judd Chaille was present along with Wendy Chaille. There were 50+ citizens present. No attendance record was made.

Tobler made introductory remarks. The application is for a Special Land Use, not a rezoning nor a variance. The purpose of zoning districts was described, and the need to allow all legal uses in at least one zoning district. Permitted Uses and Special Land Uses were described. Cellular communication facilities are a Special Land Use throughout most of the township geographically. The Federal Communications Act of 1996 requires townships to have policies supporting cellular facilities. Considerations of environmental and health concerns from RF emissions are specifically denied by the Federal statute. However, the statute does not necessarily require a township to approve a 220 foot tower of a lattice design at a specific location so long as such decision is not effectively exclusionary. Tobler indicated that the order of business would be for Judd Chaille to first present the application. Then township planner Laura Kreps would provide her review. At this point, public comments would be received by the Planning Commission for consideration. David Geromette stated that he was glad that the PC had the ability to consider the site location and design details.

Judd Chaille presented next that AT&T proposes to build a 220 foot lattice tower to serve the greater part of Augusta Township. This location on Butler Road was identified by RF engineers at AT&T as being suitable. The RF propagation maps show where coverage is and is not. The mandate to AT&T from the FCC requires a good and faithful effort to provide wireless services for the areas a license is given. AT&T considers itself a guest in Augusta Township, that it must fulfill the FCC mandate, and to provide a backup to landline in the case of 911 emergencies. 60% of all 911 calls are made on cell phone; 70% of all citizens use cell phones. The proposal is on the table. Some concerns have been received; some have been addressed already by moving the site further back into the parcel. New preliminary drawings were provided to the PC, along with a more detailed “structural letter” from Sabre Towers. Mr. Chaille then requested on behalf of AT&T that a continuance to the next meeting be granted to allow as many of the public opinions be addressed.

A citizen question was how this AT&T tower might benefit her as a Sprint customer? Another FCC mandate is that carriers provide collocation space for competitors to prevent proliferation of towers. Mr. Cimaglia opposed the consideration of a continuance.

Laura Kreps made her presentation referring to her review report from July 14, 2010, amended August 11, 2010. The main part of the review concerns Section 4.4 which deals with Special Land Uses in general, and provides 7 questions to be addressed by the Planning Commission regarding compatibility of the proposed special land use. Kreps read aloud the 7 questions from the Ordinance. Cellular towers must also conform to the standards of Section 6.24 which provides a lengthy list of minimum standards. Many of these were described briefly. Kreps summarized by saying that the Planning Commission must base its decision, as a matter of law, upon the standards of Sections 4.4 and 6.24.

Mr. Cimaglia expressed his opposition to the proposal. He owns two homes across the street. The tower would be in his front-yard view. He asked whether it was a done deal. He provided some neighborhood pictures. A neighbor would have a 220 foot tower essentially in his backyard view. He indicated that the property owner had told him that she would drop the proposed use if everyone was opposed. Mr. Cimaglia then discussed the issue of the proposed tower being "harmonious" with the existing neighbors. He said that the least of all evils would be to site the tower to the full rear of the property.

Is there another tower that AT&T could locate their antenna on? Before answering this question, Mr. Chaille asked again whether the requested continuance would be granted. There was public opposition to considering the continuance, especially before answering the above question. McMahan explained the need to provide opportunity to hear all public input as well as rebuttal from the applicant. Motion by McMahan, supported by Keefe, to approve a continuance to a second meeting to allow response to questions. There was great citizen opposition. Tobler related conversation with the Township Attorney prior to the request by AT&T for a continuance that the Planning Commission should continue the meeting in order to allow complete testimony to be received and evaluated. Vote was unanimous for approval of the continuance. Chie requested Mr. Chaille to answer the question. Before an answer could be provided, citizens interrupted indicating that the owner no longer wanted the tower, and why wasn't she present. Mr. Chaille indicated that he had spoken with the owner 3 times that day, and then held up a map showing the location of other towers in Augusta and the surrounding townships. The question was rephrased as to why existing towers cannot be utilized. Mr. Chaille stated that when AT&T looks to expand coverage, a review of existing compatible towers and structures is made. In this case, the closest available tower is a Mobility tower in Sumpter and another on Tuttle Hill 3 miles away. By providing the available height on a tower, the RF engineers may then calculate the effective coverage area for that installation. This had been previously submitted to the Planning Commission in the initial application. Because of the distance, the coverage provided does not meet the objectives. There was stated disbelief from the citizens that cell tower range was only 3 miles. The tower in Sumpter is about 1.5 miles to the east by northeast, which could only cover a portion of the desired area, thereby requiring another tower in Augusta to the west.

William Glaspie stated that Tobler had indicated that Augusta Township was required to site one tower in the township, and we already have one (4 were mentioned), and therefore didn't need to allow another. Actually, Tobler had stated that, in general, all legal land uses had to have at least one area in the township to avoid being exclusionary, but that the Communications Act required that the Township have policies that supported cellular services throughout the township. This may require more than one cellular tower. Also, an ordinance requirement is that the cellular applicants provide documentation that collocation is not sufficient to provide cellular service, and this documentation had been provided. Mr. Glaspie questioned why placing an antenna on the tower at Tuttle Hill and Willis (actually Macey) Roads

was not sufficient. He expressed health concerns from the RF radiation, and that the owner is only interested in the lease income (\$700 to \$900 was mentioned). He mentioned property to the east of Glaspie's backyard that might be available and with no houses nearby. Even if the tower was pushed all the way to the rear of the property it would still be in everyone's front yard. Tobler repeated that he knew of only two towers in Augusta Township (on Whittaker and on Tuttle Hill). There is one known tower in Sumpter (at Judd and Sherwood), two in London Township, and two along Carpenter Road. Mr. Chaille tried to show his collocation map, but unfortunately the map did not clearly show the road names.

One citizen asked whether the Planning Commission considered the proposed cell tower as being "harmonious". Tobler responded that the Planning Commission was trying to obtain public input and "data" in order to place this information side-by-side against the ordinance requirements to establish the findings of fact. Tobler then read from the Township Attorney's letter to the Planning Commission where he expressed concerns regarding the "harmonious and appropriate" in appearance (Sections 4b and 4d).

One person asked to hear from those that support the tower application, and also to hear how the tower might benefit the community. One supporter responded that she was new to this subject, and for everyone present there were 10 not present. Also, she was interested in hearing the applicant's answers to the questions being asked. There are apparently enough AT&T customers in the township to warrant another tower to improve service.

Another person asked whether a citizen petition would help. Tobler responded that there were enough people present to know that many do not want the tower. As previously stressed, the Planning Commission has to act according to facts and the law. We cannot act according to a "popularity" contest. "We need to hear the facts regarding the siting on Butler Road."

A member of the Blaszk family expressed a concern regarding radiation, and the inconclusive studies found on the internet. Also the Blaszk family was approached by AT&T prior to Grace McCune and had declined any interest.

Joanne Ladd asked how this property was selected, is it purchased or leased, and how would it be maintained. The property is leased as is standard across the nation and with an access road for maintenance. Tobler described the 3 tower designs; a self supporting lattice tower, a lattice tower with guy wires, and a self supporting monopole.

Someone suggested that Grace McCune was no longer interested in pursuing the application. Tobler responded that Mrs. McCune could formally withdraw her application and it would not longer be an issue before the Planning Commission.

Someone asked if there were other sites proposed as a contingency. Tobler responded that none had been proposed to the Planning Commission. Mr. Chaille responded that he had not yet established contingency sites. He described the process followed to establish proposed sites. 3 sites were tentatively found that met the initial screening by AT&T; one on Butler and two on Bunton.

Pam Cline stated her concerns regarding property values, and the ability to sell vacant lots. She feels that a tower is an eyesore and asked that it be considered only in a less populated area. She asked that AT&T reconsider finding a new location.

One man indicated that he lived 4 houses down from Grace McCune and had lived there for 53 years. He is strongly opposed to the tower.

Another woman expressed that everyone should use the continuance to perform additional research.

A man asked about the siting process again, and the radius of coverage. Mr. Chaille indicated that he was given a set of GPS coordinates indicating the service center. How far he can deviate from that center depends upon the site specifics. In urban areas, it may be limited to 6 blocks. In more rural areas, it is as large as one mile. When tower height is limited, then the range is limited and therefore more towers are required to provide service.

One woman complained about the limited publication notification of 500 feet. She was representing Mrs. Geromette who lives several lots north of the site. Both are strongly opposed.

The neighbor who lives immediately north of the site showed a photograph of his current backyard. The proposed cell tower would be immediately and prominently in his backyard view, and "I have lost everything".

Lynda Dew asked that the continuance meeting be held at Lincoln Schools.

One man asked how citizens would be notified of the continuance meeting. Tobler responded that the meeting will be held definitely on the third Wednesday at 6:30PM. Once the location is definitely determined, this will be posted on the township website and also the township hall.

One man said that his family has lived in the area over a hundred years. They are all against the tower. He asked whether there were impacts upon other issues besides radiation. Did it affect television reception; satellite reception? Mr. Chaille spoke about the frequency band of a cell tower which is quite different from the band of television and satellite, all regulated carefully by the FCC. The man said that he was involved in enforcement in Sumpter, and that was not the case there. A tower at the corner of Sumpter and Bog Roads created an interference problem with satellite.

Carol Williams who lives at Bunton and Talladay said that she has AT&T cell service with no problems with reception. "I don't know why we need something out here when I am already receiving it".

Mr. Cimaglia indicated again that a cell tower would be an eyesore and not harmonious with the neighborhood.

Another man stated that 2 miles was not the range of a cell tower. He stated that if it was 17 miles, or 30 miles, then 2 or 3 miles away does not make much of a difference. AT&T is placing the township for monetary gain.

One man asked if the Planning Commission were to approve this, it still has to go before the Board. Tobler answered, "No. The Planning Commission has sole authority on Special Land Use and Site Plan Review applications."

Joanne Ladd stated that other townships have problems with maintenance on the sites. Once a year. And vandalism.

One person indicated that the air conditioning of the equipment shelter tends to break down a lot. With major alarm systems that are disturbing.

Where does the power come from, and what about emergency power? Power comes from lines that serve Butler Road. The residents spoke of poor power from Detroit Edison. Backup power would come from an on-site generator of 60KW.

Motion by Keefe, supported by Tobler, to close the public hearing at 8:14 PM. Vote was unanimous for approval.

#### 6) BUSINESS ITEMS

6a) AT&T Mobility Wireless Communication Facility – no additional action as meeting was continued to the September 15, 2010 date.

#### 7) OPEN DISCUSSION FOR ISSUES NOT ON THE AGENDA

7a) Correspondence Received – 11 letters in opposition to the cell tower received before the meeting; 1 during the meeting. Received petition of citizens opposed to cell tower after the meeting.

7b) Planning Commission Members – McMahon brought up possibly updating of Master Plan, and what kind of public meetings should we schedule? Tobler reminded everyone that the plan was updated in 2007. It needs a review every 5 years, which may be simply accepting that existing plan is okay. McMahon also wondered whether a township site could be feasible for a cell tower thereby creating revenues for other uses.

7c) Member of the Audience – none

8) REPORT OF TOWNSHIP BOARD REPRESENTATIVE – Tobler reported on “Planning Commission Report” made to Board of Trustees asking for ordinance enforcement against the trucking operation at Bunton and Judd. A follow-up letter from Zoning Official Ralph Pasola had been received by all Planning Commission members summarizing the inspection made and the violations noted. Also received was a copy of letter sent to owner requesting voluntary compliance.

9) REPORT OF ZONING BOARD OF APPEALS REPRESENTATIVE – none

10) REPORT OF THE PLANNING CONSULTANT – Kreps brought attention to memo in packet regarding the process for updating the ordinance for typographical errors, etc.

#### 11) ADJOURNMENT

Motion by Keefe, supported by McMahon, to adjourn. Vote was unanimous for approval. Meeting adjourned at 8:40 PM.

Respectfully submitted,



William E Tobler, Secretary  
Planning Commission