



# Dexter Township

## planning commission

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John Shea,  
Chair  
Ken Tappe,  
Vice Chair  
Vickie kooyers  
Twp. Brd. rep.  
Mary Adams  
Secretary  
James Korcek  
Molly wade  
Tom Lewis  
Commissioners  
Kim Jordan,  
Recording Secretary

### REGULAR MEETING OF THE PLANNING COMMISSION Tuesday, October 28, 2008 7:00 PM

Present: John Shea, Chair; Vickie Kooyers, Township Board Representative; Mary Adams, Secretary; Molly Wade; James Korcek and Tom Lewis.

Also present: Patrick Sloan, Director of Planning.

Absent: Ken Tappe.

The meeting was called to order at 7:04 PM.

**I. Approval of Agenda** - Motion by Wade, supported by Kooyers, to approve agenda as amended.

Hartman Farms, Final Site Plan, previously asked Sloan to be table from this evening agenda. **Carried 6-0.**

**II. Approval of the Minutes** - Motion by Kooyers, supported by Lewis, to approve the minutes of October 14, 2008 as amended. **Carried 6-0.**

**III. Public Comment** - None

**IV. Action Items** -

**1) ITC Majestic Station, Amended Site Plan/Special Land Use -**

Shea gave a brief overview stating that International Transmission Company (ITC) was previously before the commissioners for a public hearing and at that time they asked ITC to provide additional data concerning the possible increase of noise to property owners on the southeast side of the transformer. Additionally, ITC was asked to provide names and comments from other vendors that have used the identical application that they are proposing.

Jamie Kryscynski, Community Relations for ITC, said they had a 15- to 20-minute poster board presentation for the commissioners this evening.

Shea said that the Township attorney, Peter Flintoft, was present this evening for Verizon and asked if the commissioners would consider moving Verizon up on the agenda in consideration of Mr. Flintoft's time.

Members agreed to take-up Verizon wireless application first and then address ITC.

**2) Verizon Wireless, Final Site Plan/Special Land Use -**

Bienenstock Court Reporting was present and taking minutes for Verizon Wireless.

Shea stated that there was new correspondence and e-mails submitted in the last couple of days from Flintoft, Jonathan Crane (representative for Verizon), and Jim Kosteva (representative for the University of Michigan) for the commissioners review.

Shea asked Crane if only one frequency band, 1931.25 MHz to 1963.75 MHz was tested to insure no interference.

Crane replied, yes.

Jim Kosteva said that they would like other bands tested as well.

Shea asked Flintoft if he recalled other band frequencies being tested.

Flintoft referenced Crane's letter, dated October 7, 2008, and said no others were stated in the letter.

Shea asked Crane if he had test results from other bands.

Crane replied no and explained the difference between receive and send frequency bands. Additionally, he stated that frequencies were evaluated and can be provided to the U of M. He noted that the 4.4 to 8.0 frequency band is where the radio telescope operates.

Shea replied, so the major concern is with respect to frequencies that may be approved in the future and how they might interfere with the U of M observatory.

Flintoft stated that a requirement of reasonable notice or testing does not violate the Telecommunications Act as long as the requirement does not effectively prohibit the use.

Crane responded, we have never had any interference issues whatsoever. We are mandated and obligated to conform to regulations set by the Federal Communications Commission (FCC). Verizon will address any of U of M's concerns. Again, he stated that they have never had any interference issues.

Kosteva said that the observatory has been in operation for over 50 years and is conducting ongoing research.

Crane disputed whether or not Verizon would be required to apply for a land division.

Shea asked if the commissioners had any comments and/or concerns.

Lewis said he would like to take more time to review the new material and Flintoft's letter, dated October 27, 2008.

Korcek said he was comfortable with approving a resolution this evening.

Kooyers asked if the requested advance notice, of not less than 60 days, is a reasonable time frame to resolve a dispute.

Kosteva replied, yes it is reasonable.

Crane replied, the FCC has the authority to resolve any disputes and, the 60 day time frame is OK.

Kooyers said she is comfortable moving forward with a resolution.

Wade said she was comfortable drafting a resolution.

Adams asked if the 60-day notice was a reasonable time for the FCC to address issues or disputes.

Crane replied, yes. The FCC speaks strongly and acts immediately.

Shea asked Kosteva if he was comfortable with the 60-day notice.

Kosteva replied, yes. They were comfortable.

Doug Weber, representative for Verizon, stated that he has been with Verizon for 17 years and would like to clarify the frequency differences by giving an example of a cell phone frequency versus the frequency

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emitted from the top of a cellular tower. The tower (a fixed point) would emit high power and the cell phone would emit a lower frequency.

Members discussed and recessed to draft a resolution at 7:52 PM.

Members reconvened at 8:05 PM.

Motion by Korcek, supported by Wade, to approve Verizon Wireless, Site Plan/Special Land Use with conditions as amended. Carried 6-0.

Korcek read resolution #08-PC-132 into the record.

Resolution #08-PC-132 is on file at the Township Hall with the final approved meeting minutes.

No further discussion. Commissioners brought ITC back on the table.

**ITC Station, Amended Site Plan/Special Land Use –**

Jamie Kryscynski, representative for ITC, gave a presentation of their proposed wall using poster board slides. He went over the description of the application, its characteristics, vendor information, acoustic reports, and ended with a conclusion.

He said copies of the presentation would be provided to the township.

Bruce Whitney, ITC representative, gave two comparisons of other vendors using the same application as they were proposing. One vendor is in Chicago, IL. They had a 26-foot high wall that was a 60' x 75' "L" shape. After construction, they reported a 19 dBA (decibels of sound intensity) reduction at the property line and a 13dB reduction in the 125 Hz octave band. The second vendor, in Louisville, KY, reported a 17 dBA reduction at the property line and a 13dB reduction in the 125 Hz octave band. Kryscynski stated that their computer modeling results estimated a 7 to 9 dBA reduction at the property line for their proposed application. He said that topography can be an issue. The higher the property owner is, the less likely the noise is shielded. He explained that a 6 dBA reduction would result in 1/4 of the previous acoustic power and a 9 dBA reduction would result in 1/8 of the previous acoustic power. Also, because the panels are manufactured in 2-foot increments, the proposed height of the wall will be 26 feet instead of 25 feet.

Whitney noted that there is a website, [Soundbarriers.com](http://Soundbarriers.com), which commissioners can go to retrieve further data and construction of sound barriers.

Sloan asked if the initial height of 25 feet was used for the computer modeling. And if so, would adding an additional manufactured 1 foot panel make a difference in the noise reduction.

Kryscynski referenced to the green arch on the poster board slide and replied that there would be no difference in noise reduction due to mechanical differences. He also stated that raising the height above 26 feet would not be feasible due to the current arrangement of Majestic Station's electrical and mechanical equipment.

Korcek asked what the mechanical differences of the wall were in relation to absorption versus reflection. Additionally he asked if ITC had determined whether or not there would be an increase in sound level to the southeast.

Bruce Whitney, consultant for ITC, said that the highest absorption is 125 Hz and said that there is more refraction than deflection. The sound results to the southeast are the same with or without the wall.

Shea asked what the current dBA level is at the property line.

Whitney replied, 45 to 48 dBA which is below the 55 dBA stipulated in the township ordinance.

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Shea replied, so a dBA reduction is not linear? ~~it is perception?~~

Whitney replied, yes. The tonal noise will be reduced to almost non detectable. Whitney also described the differences between detection at one frequency and at multiple frequencies.

Wade asked if there was a guarantee from the manufacturer. Whitney replied that the manufacturer guarantees the material composition only.

Shea asked who the customers in Chicago, IL and Louisville, KY were. Whitney replied that the customer/user of the walls were utility companies. Shea asked if it would be beneficial to call those utility companies and ask about their level of satisfaction with the walls. Kryscynski replied that ITC was confident enough in its modeling results for the Majestic Station site. Whitney replied that the manufacturer has measured data on the 2 utility applications only and that there was no other data on other applications.

Kathy Bakula, 12694 Oak Hill Dr., Dexter – Acting president and spokesperson for the Oak Hill association said that when the last construction commenced there was ~~pile driving that caused~~ property damage ~~down~~ to her driveway and bathroom tiles. ~~due to the soil conditions of the area.~~ She asked if there would be any loud pounding and/or disruption this time when constructing the sound walls.

Kryscynski said that there shouldn't be any disruption. Holes will be drilled, beams inserted, concrete poured, and then the panels will be erected.

Shea asked Kathy Bakula what her thoughts were on what ITC has proposed.

Bakula said that she has spoken to ITC and other sound engineers and believes this application is worth trying. However, she questioned what would happen if the wall doesn't work.

Shea asked the members if they wanted to table until the November 13, 2008 meeting or move forward with a resolution this evening. The majority agreed that they should consider a resolution this evening.

Members recessed to draft a resolution at 9:04 PM.

Members reconvened at 9:16 PM.

A motion was made by Wade, supported by Korcek, to approve ITC Majestic Station, Amended/Special Land Use application with conditions as amended. Carried 6-0.

Wade read into the record resolution #08-PC- 135.

Resolution #08-PC-135 is on file at the Township Hall with the final approved meeting minutes.

No further discussion.

### **3) Hartman Farms, Final Site Plan -**

Tabled at the request of the applicant.

### **V. Township Board Up-Date -**

Kooyers summarized the meeting of the Township Board's October 21<sup>st</sup> meeting.

The Township Board remanded zoning ordinance amendments 34-6 back to the Planning Commission for further summary and comments of proposed Section 6.04(H).

They tabled the "Township Ordinance to Create Planning Commission" pending approval of the proposed Ethical Standards of Conduct ordinance.

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Kooyers additionally, informed the members that the Clerks office would be issuing absentee ballots until 4 p.m. on Monday, the day before the Election.

**VI. Concerns of Commission Members, Director of Planning and Zoning, Supervisor, and Recording Secretary-**

No concerns

**VII. Public Comment – None**

**VIII. Future Agenda Items -**

Tuesday, November 11, 2008

Township Office is closed in observation of Veterans Day

Planning Commissioners will meet on: Thursday, November 13, 2008

Tuesday, November 13, 2008 – Work Session

- 1) Review Zoning Ordinance Amendments 34-7
- 2) Review Master Plan
- 3) Review Zoning Amendment 6.04 (H)
- 4) Review Putnam's Master Plan Amendments

**IX.** Adjournment – Shea, Chair, declared meeting adjourned at 9:50 PM.

**Respectfully submitted,**

**Kimberly Jordan, Recording Secretary**

**Mary Adams, Secretary**