



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, September 23, 2008 7:00 PM

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

Also present: Patrick Sloan, Director of Planning and Zoning and Pat Kelly, Supervisor.

Absent: None

The meeting was called to order at 7:03 PM.

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

Hartman Farms, Final Site Plan and Verizon Wireless, Special Land Use asked to be removed from this evening's agenda. **Carried 7-0.**

II. Approval of the Minutes - Motion by Lewis, supported by Korcek, to approve the minutes of September 9, 2008 as amended. **Carried 7-0.**

III. Public Comment - None

IV. Action Items –

1) Public Hearing for ITC Majestic Station, Amended Site Plan/Special Land Use -

Shea stated that the Public Hearing for International Transmission Company (ITC) Majestic Station was before the commissioners this evening for the purpose of receiving public comments and/or concerns. He said the next step would be for the commissioners to deliberate and consider the comments from this evening's hearing and then take action. He said that most likely there would not be a resolution this evening.

Jamie Kryscynski, Community Affairs representative for (ITC), gave a brief overview of their proposed expansion. In response to complaints from the neighbors regarding the noise from the transformer, he said ITC is proposing to build a 25-foot sound barrier wall that would surround the transformer to the west, north and east. He stated that there were no residences to the south of the station and believes this will result in a reduction of noise at low frequencies to the nearby residences.

Shea opened the hearing to the public to hear their comments at 7:15 PM

Kathy Bakula, 12694 Oak Hill Dr., Dexter – Acting president and spokesperson for the Oak Hill association commented that the Planning Commission's August 26, 2008 meeting minutes were vague. She referred to the words "does no harm". In reference to those words she commented "isn't this a lot of money to be taking such a chance?" Ms. Bakula said that the neighbors to the north of her can hear the noise and have been asking her what and where it's coming from. She asked the township if it would do a topography of the area.

Bruce Whitney, consultant for ITC, stated that acoustic and sound are his areas of expertise. ITC looked for a wall design that would reduce tonal noise from the transmitter. He stated that tonal sound is one of the loudest of the noise bands. In July and August of 2007, ITC conducted pressure measurements and this data was put into a computer modeling agent that looked at the terrain, elevation, sound and topography. He said that sound is attenuated closer to the ground and the proposed wall would allow for much absorption and deflection. He said that the inner wall of the sound barrier is perforated and is designed to absorb and reflect sound. The open side of the wall on the south side would allow for deflection. He stated that a lot of thought, analysis and engineering went into this design and he believes the result will be favorable. They are expecting to see significant and dramatic improvement, but can not give any guarantees. This design/application is a first for ITC. It has, however, been used in other areas.

Shea asked what the experience has been with these other vendors using this wall sound technology.

Whitney said the other utilities have used this type of technology, but applications are unique in their own way. He can only comment on their design.

Shea asked if ITC could provide data on other studies that have worked.

Kryscynski said that ITC's design is based on a computer model and doesn't know if there are other studies out there or if they could be provided. He said they don't want to divulge their modeling results because they are concerned that the actual results might not meet up to the expectations generated by the model.

Wade asked if ITC looked at other vendors and if so, why this application was proposed. Can ITC give some comparisons?

Whitney said they do not have any technology comparisons and does not believe other vendors would give out their data.

Kryscynski said he would pass the request onto the company and see if they can obtain or get further data and/or comparisons.

Shea commented that computer modeling does not replicate reality. He suggested that ITC bring back some comparable data and/or analysis. He believed that unless the modeling data was proprietary, it could be submitted with any necessary caveats and conditions.

Kryscynski said that ITC could provide wall specifications; however, ITC is not interested in investing more time and/or money to the project. They ~~project the cost of the project will be already have~~ \$250,000. ~~invested.~~

Shea said that ITC may not want to spend more money, but doing so might be necessary to answer questions of the Planning Commission and the public.

Bart Billiu, 12540 Oak Hill Dr., Dexter- Said that the last time ITC was at the Planning Commission in 2006 they stated that there would be no additional noise. Mr. Billiu said that he was a machine repairman and believes that OSHA's regulations should mandate. He said that two of the neighbors can hardly work in their yard because the noise makes them nauseous and Kathy Bakula has a special needs child and has had to reconfigure her house because of the noise levels. Additionally, he had heard that yet another expansion was in the works.

Kryscynski said that Mr. Billiu's last comment was false information. He would know if any new expansions were projected in the next twelve months. He is sure that he would know about it, however, there are no guarantees.

Billiu apologized and said he had just heard about the expansion but didn't really know for a fact.

Bakula said she read an article online from September 2007 that ITC was currently studying the expansion of a 765 kilavolt line that would run through eastern Michigan to western Michigan to Lansing.

Billiu said he believes that cost is driving a less expensive design of the wall.

Al Ruhlig, 11591 Colby Rd., Dexter – asked if the materials being used for the wall would affect the groundwater. Additionally, he asked if these sound walls would be similar to the freeway sound walls we see on the freeway.

Kryscnski said that the drainage calculations shouldn't make for any changes.

Shea asked how it compares to long sound barrier insulations.

Whitney said this design of the proposed wall is superior to the mason sound walls along freeways in dealing with tonal noise and its frequency. The walls are made of a fiberglass material that is encapsulated with steel so there should be no pollutant runoff.

Shea asked, Mathew Parks, OHM Engineer and representative for the Township, if he had any concerns about runoff issues.

Parks said there should be no negative impact on the drainage area.

Ruhlig said he is still concerned about deterioration, oxidation, and water pollution.

Whitney stated that the walls will not deteriorate and are hydrophobic.

John Cullen, 12800 Oak Hill Dr., Dexter- commented that the model wall ITC has proposed is good. He said that ITC is a successful business and is appreciative that they have chosen to keep their business in the State of Michigan. They are green (environmental friendly) and is confident they have managed any issues with water runoff. He is thrilled they are doing something to abate the noise. He lives on top of the hill and can hear the hum of the transformers. He said he owns a small garden company and promotes and identifies with the small town of Dexter. The massive grid of ITC is aesthetically unattractive and asked if ITC could be more mindful of the aesthetics. Adjacent property owners see this massive grid wall 5 months out of the year. He commented that when the last project was done, many oaks were cleared. He would like to know what the Township's long term goals are for this project.

Shea said that the long term plan is beyond the scope of this evening's hearing and this particular application. That would be another meeting to discuss long term goals. He said as for the impact this project has, we are bound by the same constitution as the neighbors are. ITC bought the property and easements long ago and have certain rights. Unless the laws change or the property and easements are no longer used, our hands are tied. However, the Planning Commission does have a little bit more input with regard to managing and addressing the aesthetics.

Shea asked if they were going to do any screening.

Kryscnski answered no additional screening. Metal walls are no higher than the transformers and will stay plain with no painting. They do not want to have to do any maintenance.

Whitney commented that the design should be as close to the source as possible.

Cullen asked: so; the south side has no wall?

Whitney answered; correct. There are two ways to treat this: Reflection and absorption. The open south side will allow for deflection and the wall would perform better if no wall is on the south side.

Kryscnski said that the transformers should be outdoors due to heat during heavy loads. He said that ITC needs to justify cost structures and have prudent rates that are reasonable. ITC has heard the complaints and has worked with the Township and neighbors. ITC has talked with other utilities for solutions and have designed a wall and submitted a plan.

Kathy Hunter, 5360 Madden, Dexter, - said that she lives to the south and asked if the noise that is reflecting from the West, East and North walls would affect residences to the south?

Whitney said that the distance involved should be enough not to detect an increase. He has some contour data he can review.

Shea said it would be a good idea to have the data. Additionally, he asked Ms. Hunter if she could hear the noise from the south?

Hunter answered, no.

Kryscnski took down Ms. Hunter's name and number and said he would look into and review the possibilities of the noise reflecting off the walls and going south.

Shea commented that would be a good idea.

Kryscnski said he would have Mr. Whitney look in to it.

Wade commented that would be a good info to have.

Bakula said that whatever ITC does will impact her. Does ITC have a back up plan?

Kryscnski answered no. There are no future plans to date. However, as part of ITC's expansion, it has a position available for another 120 kilovolt line that may be installed in the future. But he can not make any future guarantees on additional expansions.

Shea commented that we all want a resolution. Any and all information that can be provided is welcomed.

Shea closed the public hearing at 8:10 PM

Motion was made by Adams, supported by Lewis, to table ITC Majestic Station, Amended Site Plan/Special Land Use until October 28, 2008. **Carried 7-0**

Lewis verbally clarified what the Planning Commission is asking of the applicant. One, to provide information/data from other vendors regarding the sound wall design and two, to answer questions that arose this evening during public comment asking if the reflection off the sound walls from the north, ~~east~~ ~~south~~ and west would affect the residences to the south.

Korcek asked if the application was time sensitive.

Kryncski said they would like to have the wall in by spring 2009, but it could take as long as fall 2009. However, they will not order any materials until they have full approval from the Township. He will ask company engineers to look into acquiring other modeling results for comparisons and an explanation as to why one application versus others.

2) Dexter Dental Site Plan –

Matt Schuster, agent for Dexter Dental LLC, gave a brief overview of their proposed expansion of the parking lot. He noted that the only substantive revisions on the plans were the drainage and that the 24 feet shown for the driveway width is in fact 20 feet. He will update the plans to show the 20 foot width.

Members discussed drainage issues with regard to its certification and the consideration of including a maintenance schedule on the plans.

Motion was made by Adams, supported by Tappe, to approve Dexter Dental Site Plan application. Resolution #08-PC-133 was read in to the record by Adams.

Members discussed resolution #08-PC-133 and concurred to add condition #15 to read: Dexter Township shall not issue a Zoning Permit until conditions #1, 2 and 13 are satisfied.

Amendment was accepted by Adams, supported by Tappe.

Motion carried. 7-0

3) Hartman Farms, Final Site Plan -

Tabled this evening at the request of the applicant.

4) Verizon Wireless, Site Plan/Special Land Use-

Tabled this evening at the request of the applicant.

V. Township Board Up-Date -

Kooyers informed the members that the consideration of drafting a “Dead Tree” ordinance will be further discussed at the joint meeting scheduled for September 30, 2008.

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, October 14, 2008 - Work Session

- 1) Review Zoning Ordinance Amendments 34-7
- 2) Review By-Laws
- 3) Review Master Plan

Tuesday, October 28, 2008

- 1) To Be Determined
- 2)

IX. Adjournment – Shea, Chair, declared meeting adjourned at 9:11 PM

Respectfully submitted,

Kimberly Jordan, Recording Secretary

Mary Adams, Secretary

