

# **DEXTER TOWNSHIP PLANNING COMMISSION**

## **Resolution for a Special Land Use Approval for a Communication Tower (18-PC-189) TeleSite Wireless**

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**A resolution for a Special Land Use for a communication tower, submitted by David Antoun, on behalf of TeleSite Wireless, for property located at 10325 Island Lake, between Dexter-Townhall and King Hill, Section 35 of Dexter Township (D-04-35-300-007).**

- 10) WHEREAS, David Antoun, (*Applicant*), on behalf of TeleSite Wireless, pursuant to the provisions of the Dexter Township Zoning Ordinance (*Zoning Ordinance*), submitted an application for Special Land Use (18-PC-189) TeleSite Wireless on July 20, 2018; and
- 20) WHEREAS, the Applicant, pursuant to the provisions of the Zoning Ordinance, submitted an application for Preliminary and Final Site Plan (18-PC-189) TeleSite Wireless on July 20, 2018; and
- 30) WHEREAS, the Applicant submitted a 3-page site plan on July 20, 2018, with a last revision date of July 17, 2018, prepared and stamped by Scott G Fisher, a licensed professional engineer; and
- 40) WHEREAS, the Applicant submitted a 3-page site plan on September 7, 2018, with a last revision date of September 7, 2018, prepared and stamped by Scott G Fisher, a licensed professional engineer; and
- 45) WHEREAS, the Applicant submitted a 3-page site plan on September 25, 2018, with a last revision date of September 25, 2018, prepared and stamped by Scott G Fisher, a licensed professional engineer; and
- 50) WHEREAS, the Planning Commission has received reports from Zach Michels (*Dexter Township Director of Planning and Zoning*) dated August 17, 2018, and September 17, 2018; and
- 60) WHEREAS, the Planning Commission has received a report from Matthew Parks (*Township Engineer/OHM Engineering Advisors*) dated September 6, 2018; and
- 70) WHEREAS, the Planning Commission has received a report from Donald Dettling (*Dexter Area Fire Department Fire Inspector*) dated August 8, 2018; and
- 80) WHEREAS, the property is located in an Agriculture (AG) District; and

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- 90) WHEREAS, §11.01(D)(5) of the Zoning Ordinance designates “communication towers and other broadcasting and receiving facilities” as a special land use in Agriculture (AG) Districts; and
- 100) WHEREAS, the Dexter Township Planning Commission (*Planning Commission*) held a review of completeness on August 28, 2018, and set a public hearing date for the Special Land Use of September 25, 2018, with the Applicant’s consent, after determining that the application was substantially complete; and
- 110) WHEREAS, the Planning Commission, at its September 25, 2018, meeting, held a duly-noticed public hearing for Special Land Use (18-PC-189) TeleSite Wireless and received ~~no~~ the following public input: questions about 5G, height, radiation, and landscaping/appearance; and
- 120) WHEREAS, the communication tower will ~~will not~~ be harmonious with and in accordance with the general principles and objectives of the Township General Development Plan [Master Plan] because:
- a) *It would not conflict with any of the Goals, Objectives, or Strategies of the Master Plan; and*
- 130) WHEREAS, the communication tower will ~~will not~~ be harmonious with and in accordance with the general objectives, intent, and purposes of the Zoning Ordinance because:
- a) *The use is a special land use in that zoning district;*
  - b) *The proposed improvements are consistent with the developmental standards of the Zoning Ordinance; and*
  - c) *It has been designed in a manner that reduces potential negative impacts on the public health, safety, and welfare; and*

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140) WHEREAS, the communication tower will/~~will not~~ be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and will not change the essential character of the general area in which it is proposed, because:

- a) *The proposed location of the communication tower is a significant distance from surrounding uses;*
- b) *The proposed location of the equipment compound will be screened by existing buildings, topography, and existing landscaping; and*
- c) *The proposed landscaping will soften the impact of the structures and the use; and*

150) WHEREAS, the communication tower ~~will~~/will not be hazardous to any person or property, or detrimental or disturbing to the public welfare or to existing or reasonably anticipated future uses in the same general vicinity because:

- a) *Hazardous materials will not be stored on the site; and*
- b) *Landscaping will soften the impact of the equipment compound; and*

160) WHEREAS, the communication tower will/~~will not~~ be adequately served by essential public facilities and services, such as highways, streets, police, fire protection, drainage structures, refuse disposal, water and sewage facilities and schools, and minimize the impact of traffic generated by the proposed development on adjacent properties as follows:

- a) *There facility will not require any water or waste disposal; and*
- b) *It is anticipated that the facility will generate less than five (5) additional trips per month; and*

170) WHEREAS, the communication tower will meet the site plan review requirements of Article 6 of the Zoning Ordinance if a final site plan approval is granted; and

180) WHEREAS, the communication tower will conform with all applicable county, state, and federal requirements for that use if it receives approval of the appropriate agencies;

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190) WHEREAS, the communication tower does/~~does not~~ conform with the site and developmental standards for communication towers, as outlined in §16.24(A) of the Zoning Ordinance because:

a) *No final certificate of zoning compliance will be issued absent the above; and*

200) WHEREAS, the communication tower does/~~does not~~ or would conform, with conditions of this approval, with the special performance standards for communication towers, as outlined in §16.24(B) of the Zoning Ordinance because:

a) *No final certificate of zoning compliance will be issued absent the above; and*

210) NOW, THEREFORE, BE IT RESOLVED, the Planning Commission, by a majority vote at a duly-noticed, regular meeting, held this 25<sup>th</sup> day of September 2018, GRANTS/~~DOES NOT GRANT~~ APPROVAL of the Special Land Use (18-PC-189) TeleSite Wireless, for property located at 10325 Island Lake, between Dexter-Townhall and King Hill, Section 35 of Dexter Township (D-04-35-300-007), to the Applicant, subject to the conditions listed below:

- a) *If the communication tower facility use is not established and operating within one (1) year of this approval, this approval shall become null and void;*
- b) *The tower shall be made available for collocation, as required by §16.24(B)(17) of the Zoning Ordinance, the State of Michigan, and the Federal Communication Commission;*
- c) *The communication tower facility shall be removed if it has not been used for one hundred eighty (180) days or more;*
- d) *The most-recent operator of the communication tower facility shall notify the Township in writing if and as soon as the use of the facility ceases;*
- e) *The property owner or most-recent operator of the communication tower facility shall immediately secure the required demolition or removal permits if it has not been used for one hundred eighty (180) days or more and complete the demolition and restoration work within a reasonable period, as determined by the Planning Commission;*

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- f) *If the communication tower facility has not been removed and the site restored within the reasonable period determined by the Planning Commission, the Township, after at least a thirty (30) day notice, may remove or secure removal of the structures and restoration of the site, with actual cost and a reasonable administrative charge to be drawn, collected, and or enforced from or under a security posted at the time the application was made or collected against the property owner;*
- g) *This approval shall not be effective until a final site plan has been approved for the communication tower facility by the Planning Commission;*
- h)** *This approval shall not be effective until this Resolution and all its conditions are accepted by the Applicant; and*
- i)** *The communication tower shall remain below the height required for tower lighting.*

Resolution offered by Planning Commissioner Ehman .

Resolution supported by Planning Commissioner Nester .

YES = 7 (Burch, Ehman, Gajewski, Lewis, Mehuron, Nester, Reiser, ~~NONE~~)

NO = 0 (~~Burch, Ehman, Gajewski, Lewis, Mehuron, Nester, Reiser, NONE~~)

ABSENT = 0 (~~Burch, Ehman, Gajewski, Lewis, Mehuron, Nester, Reiser, NONE~~)

ABSTAIN = 0 (~~Burch, Ehman, Gajewski, Lewis, Mehuron, Nester, Reiser, NONE~~)

The Chair declared the resolution **ADOPTED** ~~NOT ADOPTED~~.

Date: 25 September 2018

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\_\_\_\_\_  
Steve Burch, Chair                      Date

\_\_\_\_\_  
Tom Lewis, Secretary                      Date

These findings, conclusions, decisions, and resolution are accepted:

\_\_\_\_\_  
David Antoun                                      Date

Applicant, TeleSite Wireless authorized agent

approved 09.25.2018