

MINUTES

Cascade Charter Township Planning Commission
Monday, October 6, 2008
7:00 p.m.

ARTICLE 1. Chairman McDonald called the meeting to order at 7:00 p.m.
Members Present: Hammond, Koessel, Lewis, Logue, McDonald,
Pennington, Robinson, Sperla, Waalkes
Members Absent: None
Others Present: Township Consultant Andy Felde, Township
Engineer Mike Berrevoets, Planning Director Peterson, Recording
Secretary Hern, and Members of the Public.

ARTICLE 2. Chairman McDonald led the Pledge of Allegiance to the Flag.

ARTICLE 3. Chairman McDonald requested a motion for the approval of the
October 6, 2008 agenda.

**Member Robinson motioned to approve the October 6th
Agenda as presented, supported by Member Hammond. All in
favor with none opposed, the motion carried.**

ARTICLE 4. **Approve the Minutes of the September 8, 2008.**
Member Sperla motioned for approval of the September 8,
2008 minutes as presented, supported by Member Robinson.
All in favor with none opposed: September 8, 2008 Planning
Commission Meeting Minutes were approved as submitted.

ARTICLE 5. **Approve the Minutes of the September 15, 2008.**
Member Lewis motioned for approval of the September 15,
2008 minutes as presented, supported by Member Waalkes.
All in favor with none opposed: September 15, 2008 Planning
Commission Meeting Minutes were approved as submitted.

ARTICLE 6. **Case # 08-2956: Metro PC**
Address of Property: 4700 Quiggle Ave.
(PUBLIC HEARING)
Requested Action: The Applicant is requesting a Type I Special
Use Permit to collocate an antenna on the existing tower.

Planning Director Peterson said the property is located on the East
side of Quiggle Ave. just north of I-96.

The Applicant is requesting a Type I Special Use Permit to allow
the construction of a new antenna on the existing tower. In
addition, a small equipment shelter will be located inside the pre-
existing leased are.

Staff has provided the Standards in their report and Andy Felde is also present to answer question. Mr. Felde is the consultant who reviews the antennas when these requests are made.

In Mr. Felde's report, he has noted that with the addition of this tower, the tower is at 105% and any future collocations would require reinforcement of the pole.

Staff recommends approval of the Type I Special Use Permit to allow for the collocation of the antenna at the tower at 4700 Quiggle Ave. as requested.

Member Robinson asked who is doing the calculations of the tower as far as its determination that it is 5% overload. Mr. Felde of Drew Wireless provided a copy of the structure to the Commission. He noted a State engineer did the review. He has dealt with numerous structural engineers regarding collocations and all have said that 105% is an acceptable overage for a tower.

The structural engineers receive their data regarding the tower from the tower's manufacturer. The field engineers also provide the information to the structural engineers as to what is on the tower. This information is whatever is in the tower owner's file. He compares with what the structural engineer has submitted to what is actually on the tower. As an example with this particular tower, AT&T has twelve (12) antennas and there are not currently twelve (12) antennas. This is due to when AT&T leased the tower, they specified that they wanted twelve (12) antennas, though they have not installed twelve (12).

The structural engineer who develops the report generates the report from the information that is provided. Most of the time, the reports reflect equipment that is simply not there due to lease negotiations. Mr. Felde said he reviews these factors in his reports.

Member Robinson said the engineer is assuming that the tower is in good condition and not corroded or damaged.

Member Robinson asked if the 5% overload is acceptable to the engineer and Mr. Felde said it should be: the platform towers add more stress to the tower than the antennas themselves. When the engineer reviews the towers, the engineer always calculates with the largest amounts.

Member Pennington referred to AT&T having permission to install twelve (12) antennas but they have fewer than that. Were the calculations based on AT&T having twelve (12) or what is actually on the tower? Mr. Felde said the calculations have been done

based on AT&T having twelve (12). Member Pennington asked if AT&T could install more and are they able to just install the antennas since they are allowed twelve (12)? Mr. Felde said that the Township's Ordinance does require AT&T to come before the Planning Commission to add any antennas.

Member Hammond asked Mr. Felde if he knows what the lease agreement states and Mr. Felde does not. Member Hammond noted the lease information would be helpful and if they are allowed twelve (12) total, adding this antenna is a concern.

Jon Szotarski of Metro PCS said he is representing Metro PCS and is employed by American Tower, the owners of the tower, as well.

Mr. Szotarski said what the structural analysis takes into account is every piece of equipment that is leased, whether installed or not. In addition when running for a new carrier, there is field staff that monitors the site to ensure what is approved to be installed is actually installed. The structural analysis takes into account every piece of equipment on the tower as well as what is leased. The 105% in this report takes into account AT&T's possible installations for their leased twelve (12), along with any others and meets the State's guidelines.

Member Robinson noted a point of clarification in the engineer's report that if any other equipment is added the tower are required to be reinforced. His understanding is also that the equipment of Metro PCS is included within the 105% and does not include equipment from future installations. Mr. Szotarski clarified that AT&T is leased for twelve (12) tower top amplifiers and currently they have six (6) and six (6) antennas. If they installed the additional six (6) of each, that is already taken into account in the calculations of 105%, even though they are not there.

Member Lewis asked if a copy of the calculations was submitted with the application and Planning Director Peterson said it has been. Member Lewis asked what the liability insurance is if one of these towers were to come down and if the Township is liable since they would have approved it? Mr. Felde said it is very rare for a tower to fail and if it were to, he believes it would be the engineer's and tower owner's responsibility.

Member Lewis noted that if the Township were to approve this at over 100% an attorney could find fault with the Township since they knew the tower was 5% over capacity. Mr. Felde noted that the engineers due state that the 5% overage is acceptable over-stress and it is in the Revision F Standard.

Member Robinson noted that he is registered as a structural engineer in Michigan along with other states and he has yet to hear another engineer say that 105% is acceptable. The design load is 100% and he is not sure what the safety factor is on the towers. He also questions if the tower has been thoroughly inspected for any damage or corrosion since it is almost 10-years old. He noted the engineer's report says that the 105% is based on non-damaged tower conditions. Member Robinson said that he could not approve a request for 5% overage on the tower.

Member Robinson noted that the report states that Metro PCS's equipment added to this tower would provide the 5% overage to the tower. Any additional equipment after this, the pole would have to be reinforced.

Applicant Jon Szotarski, representing American Tower, noted they are planning to install a 9 x 15-foot steel platform in the existing compound to house two (2) equipment cabinets and their power supply. They would also be installing three (3) antennas at 150-feet each on the tower.

Addressing the tower structure, they are only installing three of the six (6) antennas and they could go back and recalculate with just the three (3).

Chairman McDonald clarified that the Applicant is installing only three (3) of the six antennas requested and the three (3) antennas would not take the tower to 105%, correct? Applicant Szotarski said that is correct. Chairman McDonald asked what the potential additions could be to this tower after these three (3) were installed. The Applicant clarified that if AT&T were to install their additional antennas and Metro PCS install their additional three (3), then the tower would reach 105%. Chairman McDonald asked that if the additional six (6) were to be installed by AT&T, then the request would have to come through the Planning Commission, correct and Planning Director Peterson said it was.

Member Koessel supported Member Sperla's concerns if AT&T wanted to install their remaining six (6) antennas and surpassing 100% capacity. He asked Staff if AT&T's additional antennas have been approved. Planning Director Peterson said the Township has approved the antennas and equipment shown, not any of the lease agreements or proposed/future antennas. Member Koessel questioned what was approved for AT&T and Planning Director Peterson what is on the tower today is what has been approved. Member Koessel noted that even though AT&T has a lease for twelve (12) antennas, the Township's ordinance would

supersede the lease. Planning Director Peterson noted that AT&T has planned for more but the Township has not approved more.

Member Sperla asked if Staff has reviewed the numbers noting that the report says the tower is at 105% if the Applicant's request is approved this evening. He noted that if he were a lawyer and the tower was allowed at 105% and someone were to get hurt it places tremendous liability on the Township if approved with the 5% overage and he has a hard time allowing the overage.

Planning Director Peterson noted the Township's standard is for the Applicant to provide information containing the structural integrity to support the addition. Member Robinson said that if he is reading the report correctly, that the tower is at 105% with the addition of the three antennas the Applicant is asking for. The report further states that anything added in the future would require the pole to be reinforced. Planning Director Peterson said that is correct.

Member Koessel asked the Applicant that if he were his client and had a lease with him and has agreement saying that he is allowed so many antennas and another leaser comes along, why would the tower allow the lease agreement with the new client, knowing that there is already a lease agreement prior to the new agreement? Mr. Felde noted that the initial lease is already taken into account when entering into a new lease with another client.

Member Waalkes noted that the 105% is all-inclusive with equipment that is currently located on the tower and includes the proposed equipment within the leases and this is not accurately reflected in the engineer's report.

Member Koessel asked Mr. Felde if he is saying if the tower is at 105% currently, with what is on the tower now, or when and if the Applicant's request has been added? Mr. Felde clarified that his report reflects 105% including everything within the leases and what is physically on the tower currently and the Applicant's request.

Member Robinson referred to Page 1 of the structural engineer's report said the report does not reflect an inspection of the tower and his calculations are based on the tower being structurally sound and undamaged but the tower was not inspected after 10-years. His concern lies within the tower's inspection. Applicant Sztarski said that the structural engineer did not inspect the site. The site supervisor who is responsible for the annual maintenance on the site has. The tower was originally built in 1999 and extended in 2004, at that time every bolt was checked. During

annual inspections, the structure is inspected for any percentages for cracking, corrosion, rust and other factors all based on Federal and State guidelines.

Mr. Felde noted that the 105% is for everything that is leased at the site, not actually everything that is currently installed.

Member Lewis said he would like to review a structural engineer's report that show what is currently on the tower right now, with and without what Metro PCS is proposing and accounting for those that are installed by AT&T and what is within their lease.

Member Sperla noted that the report is based on assumptions and the report would be better if based on actual installations and percentages. He would like to review the information prior to voting upon the Applicant's request.

Member Lewis motioned to open the Public Hearing, supported by Member Robinson. All in favor with none opposed. The Public Hearing was opened.

Chairman McDonald asked if any phone calls or letters were received at the Township regarding the case and Planning Director Peterson said he did not receive any comments from the Public.

Member Lewis motioned to close the Public Hearing, supported by Member Robinson. All in favor with none opposed. The Public Hearing was closed.

Member Robinson requested a report from the structural engineer and maintenance crew, based upon the additions from Metro PCS, that shows the tower is not overloaded. He would like to see the percentages from what is currently on the tower today as well. The tower should also be physically inspected to ensure it can support the equipment and is not overloaded and in sound condition.

Member Waalkes further requested an explanation behind the numbers presented. The numbers come from codes that have been developed over years and he would like to review the explanations behind allowing 105% and the code that supports the allowance for the overage.

Member Robinson motioned to table the Applicant's request for a Special Use Permit to collocate an antenna on the existing tower at 4700 Quiggle Avenue.

Member Koessel requested that AT&T's approval is checked for what has been approved by the Township.

Member Koessel seconded the motion made by Member Robinson. Chairman McDonald called the motion to question. **All in favor with none opposed, motion carried. Case # 08-2956: Metro PCS tabled.**

ARTICLE 7.

Case # 08-2954: Clearwire US, LLC

Address of Property: 3000 Kraft Avenue

(PUBLIC HEARING)

Requested Action: The Applicant is requesting a Type I Special Use Permit to collocate an antenna on the existing tower.

Planning Director Peterson noted the Applicant is requesting a Type I Special Use Permit to collocate an antenna with a small equipment structure at the existing tower site at 3000 Kraft Avenue, the RBC Ministries site.

The antenna being added is in the middle of the tower that is currently at 88%.

The equipment is housed in a structure as opposed to an outside fenced area. Mr. Felde is also available to answer any questions of the Planning Commission.

Staff recommends approval of the type I Special Use Permit to allow the collocation of the antenna at the tower at 3000 Kraft Avenue.

Member Robinson asked if the Township received a structural engineer's report on this tower as well and Mr. Felde said the Township has.

Chairman McDonald asked Staff if any additional landscaping would be required and Planning Director Peterson said no.

Mr. Felde noted that the antenna would be directly mounted to the pole and the equipment housed in the current structure. He indicated the antenna that is to be mounted and the other antennas that require platform structures: this antenna is being mounted directly onto the pole.

Member Sperla asked why Cascade Township seems to have an abundance of these requests and Mr. Felde said he is seeing requests for new towers and Cascade Township is lucky to be having requests for collocations instead of new towers. The population is growing and new carriers are entering the market, more requests will be forthcoming.

Chairman McDonald asked Mr. Felde if the 88% reflects everything that is physically on the tower or includes leased/future antennas? Mr. Felde said he physically counted the equipment and the tower is at 88% as is, with the proposed addition from the Applicant.

Member Lewis asked when the tower was built and Planning Director Peterson believes this tower is older than the tower in the previous case this evening. He also added that the Township has worked with Mr. Felde over the years because he has been able to establish the tower requests in better places to enable collocations versus erecting new towers. The Township has limitations as in the residential areas and by the airport and Mr. Felde has done a great job in identifying the best spots for the towers.

Member Logue asked if Mr. Felde foresees any new tower requests forthcoming and Mr. Felde noted there might be a desire in Ada the Township might have to work with them with.

Applicant Amy Valleau, representing Clearwire of 5738 Foremost SE, said the tower was built in 1997 according to their structural analysis. They are looking to install an additional 140-feet on an existing platform. The platform is currently empty right now.

Clearwire is a wireless Internet provider as opposed to a traditional cell phone carrier. As a wireless Internet provider, their needs for antennas are a bit different than cell phone carriers. They are not looking to add any new towers in the Township but are looking into other areas to expand into. Their towers and antennas need to be three (3) miles apart because they use microwaves that allow the data to travel faster on the Internet.

Member Koessel motioned to open the Public Hearing, supported by Member Waalkes. All in favor with none opposed. The Public Hearing was opened.

Chairman McDonald asked if any phone calls or letters were received at the Township regarding the case and Planning Director Peterson said he did not receive any comments from the Public.

Member Koessel motioned to close the Public Hearing, supported by Member Logue. All in favor with none opposed. The Public Hearing was closed.

Chairman McDonald opened the meeting for further discussion and being none, **Member Waalkes motioned to approve the Applicant's request for a Type I Special Use Permit to**

collocate an antenna on the existing tower at 3000 Kraft Avenue, supported by Member Koessel.

Chairman McDonald called the motion to question. **All in favor with none opposed. Motion carried.**

ARTICLE 8.

Case # 08-2945: Russ Spees

Address of Property: 6010/6080 28th Street SE

Requested Action: The Applicant is requesting to revise the existing Planned Unit Development (P.U.D.) at 6010 28th Street SE in order to include the property at 6080 28th Street SE.

Planning Director Peterson noted this case was awarded preliminary approval at the September 15, 2008 Planning Commission meeting. At that time, the Planning Commission directed the Applicant to revise the plan to incorporate the comments from the Township Engineer as well as to revise the site plan to incorporate the comments regarding the internal traffic flow movements.

Planning Director Peterson reviewed the new site plan noting the one connection between the two (2) sites furthest south on the site with the curb extension. He noted the parking near the existing shopping center has been changed to parallel parking to allow for two-way traffic to and from 28th Street.

Planning Director Peterson noted some minor adjustments that were made for the commercial trucks. Some of the parking is not striped on the west side of the site.

Staff believes the revised site plan within the Commissions' packets addresses these items. Chairman McDonald asked Staff to define the traffic flow from 28th Street and Planning Director Peterson reviewed. Chairman McDonald asked if there would be stop signs at the connection and who receives the right-of-way. Planning Director Peterson said stop signs could be installed at the connection without stacking of cars into 28th Street since the area is far enough to the back of the site.

Planning Director Peterson also noted that the building in the rear is 10,000-square feet and will be either retail or office.

In addition, Staff has also drafted the amendments to the existing P.U.D. Ordinance for the Planning Commissions' review. The Applicant has also been provided a draft copy of the ordinance and has incorporated their comments.

The Public Hearing has been scheduled for this case to be considered by the Township Board on October 22, 2008. If the Planning Commission is satisfied with the changes, Staff recommends a favorable recommendation to the Township Board.

Mike Houseman of Houseman Construction noted that Russ Spees is also present to answer any questions the Planning Commission might have. Mr. Houseman said he appreciates the Commissions' comments regarding the site plan and they believe this site plan is better.

Member Lewis asked Mr. Houseman to show the traffic pattern for the drive thru if entering the property from the front. Mr. Houseman showed the two (2) choices the driver would have: one entrance is off of 28th Street and showed the other entrance. The drive thru can accommodate up to twelve (12) cars stacking and they have left the areas open for better vision of other traffic on the site for exiting the drive thru.

Member Waalkes asked the Applicant if they are proposing having a pedestrian connection between the two (2) buildings and Mr. Houseman noted the pedestrian connections between the two (2) buildings and to the front of the site.

Member Waalkes referred the crosswalk to the south that runs across with an island, it seems narrow to him and asked the Applicant if they expected any commercial truck traffic to enter the site from 28th Street. Mr. Houseman said they do not anticipate the trucks to enter from 28th Street but the area Member Waalkes is referring to does maintain a 24-foot wide street and there is ample room for a truck to get through the area.

Member Sperla asked the Applicant where the storm water goes for this site. Mr. Houseman said there is an existing culvert the water flows into that is in front of 6000 28th Street. The site discharges to the existing culvert, the water then flows through the Foremost drain and into a regional detention basin, through that is owned and maintained by the Kent County Drain Commission (KCRC). From there, the water flows north into Schoolhouse Creek and ends up in the Thornapple River.

Member Sperla asked if anyone has done any studies regarding how much more water Schoolhouse Creek could handle? Mr. Houseman does not believe so but each site is to uphold the Storm Water Ordinance, this does not mean that there is no increase in the storm water but it is a way to control water. Member Sperla noted there is an increase of water into Schoolhouse Creek and there is an accumulative affect, he knows because he lives on the

creek. He is concerned with the storm water from this site because the project will add more water into Schoolhouse Creek.

Member Pennington asked if the site was developed prior to the Applicant's request and Mr. Russ Spees said the site was developed and used to be Rapid Packaging and there was no detention for the site at the time. Member Pennington noted that the Applicant is providing detention for this project and Mr. Spees said that is correct.

Member Waalkes asked if the curb cut would still be provided for the pump station and Mr. Houseman said yes.

Chairman McDonald thanked the Applicant for revising the plan, it is much better and the Applicant thanked the Commission for their input in developing a better site plan.

Member Robinson motioned to approve the revised site plan and amend the existing Planned Unit Development for 6010/6080 28th Street SE, supported by Member Waalkes. All in favor with none opposed. Motion carried.

ARTICLE 9.

Discussion with the Township Engineer regarding storm water.

Chairman McDonald opened the meeting for discussion.

Planning Director Peterson has asked the Township Engineer to provide a short presentation on storm water and the Ordinance and will then answer questions of the Planning Commission.

Chairman McDonald noted that Member Sperla has a genuine concern regarding storm water runoff entering the creeks and rivers in the Township and asked if the Township has ever assessed the storm water runoff into the creeks? Township Engineer Berrevoets said the Township Board adopted the Storm Water Management Plan. The plan identifies some of the Township's districts and where the water is flowing to, specific culverts along with some erosion issues. The plan also identifies specific culverts that are undersized, some of which are owned by the Drain Commission.

Member Sperla noted that the KCRC has installed curbing as well that is also affecting Schoolhouse Creek and believes there will be more water added to the creek due to the curbs.

Member Sperla said he has attended some of the Township Board meetings regarding water runoff and Schoolhouse Creek does not seem to be getting the attention it deserves.

He noted that there have been at least ten (10) new developments in the area that now release their water runoff into Schoolhouse Creek, granted in a controlled way, but Schoolhouse Creek cannot handle anymore water runoff from developments in the area. He has spoken with engineers regarding the erosion and has planted trees and landscaping to help prevent the erosion, only to have the plantings washed away by all the water runoff.

Planning Director Peterson noted that the water runoff is not just a problem for Schoolhouse Creek; the plan identifies other areas in the Township that have issues. Member Sperla noted that when he studied the plan, a lot of the areas identified did not have residences near or on them that were being impacted but yet, these areas were a higher priority for the Township to alleviate the runoff issues.

Member Pennington asked if the Storm Water Plan identifies the various zones and Township Engineer Berrevoets said the plan does identify the zones. Normally for a site plan review, the creeks are not encompassed in the review. As an example with the previous case this evening, the engineers review what is in the Storm Water Ordinance and this is the standard the developers are held to.

He also noted that with any development there is an increase in water runoff. There is the potential for more stream-bank erosion and the ordinance tries to address the storm water runoff, the soil erosion, and the source of the runoff, pollution and tries to minimize these affects.

Member Sperla noted that the new developments could retain or detain the water and all the developers are doing is reaping the profits while causing damage to the homes on the creeks. The residents on Schoolhouse Creek cannot take any more water; the creek is a creek and not a drain. Twenty years ago the people voted down turning the creek into a drain. The developers need to find another route for the water and not into Schoolhouse Creek.

The Township Engineer noted that the developments are allowed to utilize the existing drainage courses. Part of the ordinance requires setting the water limits for a 25-year detention with a restricted outlet. The idea is to hold the water and release it at a slow rate and all the water to drain into its pre-existing drainage course.

Member Sperla noted that the water has widened the creek to twice its size and trees have been washed away. It seems insensitive on how the creek has been handled by the KCRC, by developments and no one seems to be looking at the big picture.

The Township Engineer noted that as opportunities arise, such with tonight's case, the developer added on-site detention. Cascade Villa Apartments were also required to add on-site detention as they have converted the apartments into condominiums. As these opportunities arise, the Township is requiring on-site detention to alleviate some of the water runoff, holding the developer to the new Storm Water Ordinance.

There are three (3) different zones within the Storm Water Ordinance: Zone A that is the most restrictive and then Zone B and Zone C. Zone C is the usually near large water bodies, such as the Thornapple River, where the water is free to drain directly into them. Zone A requires infiltration if the soil conditions permit.

The Storm Water Ordinance was a model ordinance for all of the communities in the area. Most communities adopted the model with some minor changes to suit their community. Cascade Township adopted the ordinance in 2002. After working through some developments, the Township wanted more control within the ordinance in Zone A and required developers to provide more information and in essence have made the default infiltration unless they can prove the soils would not allow it.

Chairman McDonald asked if the county is held to the Township's standards and the Township Engineer said they do not.

Member Koessel asked what the county could do for Schoolhouse Creek in establishing it as a drain? Township Engineer said it would enable the Drain Commission to specially assess for improvements. Member Koessel asked if that could potentially eliminate a lot of the current erosion and the engineer said that is correct; it would help curtailing the erosion and hold the developers responsible for their water runoff.

Member Koessel suspects that when Rapid Packaging was on the site, there was less controlled water runoff than there will be now. As more developments go in, more water will run into Schoolhouse Creek and if the new standards are doing their job, the water runoff will be for a prolonged period of time not more large rushes of water that cause the erosion, is this not the theory? The Township Engineer said Member Koessel's theory is correct

and the base flow would still be there and the erosion is due to rain events.

Member Sperla said one thing that could be done is requiring bigger detention ponds, more retainage, especially if the soil is conducive to this. He believes the developers should keep their water on their site. The Township Engineer noted that if there were a clay-layer, the detention would turn into a pond since the water does not have any place to go and the land would be undevelopable. Ultimately it comes down to the Storm Water Ordinance and its requirements.

Member Koessel noted that the Storm Water Ordinance was amended in May 2008 that enlarged the three storm zones and the Township Engineer also noted that less was subject to interpretation of the developers.

ARTICLE 10.

Any Other Business

Chairman McDonald opened the meeting for any other business. There was no other business of the Planning Commission.

ARTICLE 11.

Adjournment

Chairman McDonald requested a motion for adjournment.

Member Robinson supported by Member Sperla moved to adjourn. The motion carried and the meeting was adjourned at 8:46 p.m.

Respectfully submitted,

Jack Lewis, Secretary

Lisa Hern, Recording Secretary