

Evangeline Township Planning Commission
02476 Wildwood Harbor Road, Boyne City, MI 49712
September 20, 2022, Regular Meeting

Approved: November 22, 2022

1.0 Call to Order and Roll Call:

Meeting called to order at 5:30 p.m. by Chair, Cortright.

Roll Call:

Present: Chair, Rod Cortright; Secretary, Linda Fry; and Members, Larry Taylor and Jeff Langhart

Excused: Vice Chair, Steve Smith

Staff: Zoning Administrator, Bonnie Shunatona,

Guests: None

2.0 Declaration of any Conflicts of Interest Concerning Agenda Items: None

3.0 Approval of Meeting Minutes: Minutes from the August 23, 2022 Regular Meeting were reviewed. Motion, by Linda Fry, to approve the August 23, 2022 minutes as presented, seconded by Larry Taylor
Vote: all ayes, motion carried.

4.0 Citizen Comments on Non-Agenda Items: None

5.0 Advertised Public Hearings: Amendments to the Evangeline Township Zoning Ordinance and Evangeline Township Private Road Ordinance

5.1 Public Hearing for Amendment of the Zoning Ordinance. Chair, Cortright opened the public hearing and announced the recent addition of changes to the text based on Attorney Bryan Graham's recommendations regarding sign regulations. Mr. Graham's recommendations were incorporated into the text of the proposed amendment. L. Taylor asked if those changes were included in the text that had been posted on the website for public viewing, affirmative response made by Zoning Admin.

5.1.1 Public Input & Comments: Chair, Cortright asked for public input or comments. No public response.

5.1.2 Public Hearing Closed: Chair, Cortright closed the public hearing and requested a motion to move forward with the process.
Motion, by Jeff Langhart, to recommend the amendment be forwarded to the Charlevoix County Planning Commission for their comments and then to the Township Board, seconded by Larry Taylor. Vote: all ayes, motion carried.

5.2 Public Hearing for Amendment of the Private Road Ordinance. Chair, Cortright opened the public hearing and mentioned the Private Road Ordinance is a police power and falls under the jurisdiction of the Township Board to approve any amendments but that the Planning Commission can make recommendations. He discussed the changes made to the text were relating to steep slope areas and curve radius.

5.2.1 Public Input & Comments: Chair, Cortright asked for public input and comments. No public response.

5.2.2 Public Hearing Closed: Chair, Cortright closed the public hearing.
Motion, by Larry Taylor, to recommend the Township Board approve the amendment to the Private Road Ordinance, seconded by Jeff Langhart. Vote: all ayes, motion carried.

6.0 New Business

6.1 Site Plan Review: T-Mobile (American Tower) Cell Tower Upgrade

Chair, Cortright discussed the Staff Report prepared by Zoning Admin for the Site Plan Review application submitted for T-Mobile to co-locate additional equipment on an existing cell tower structure located at 3115 Old Horton Bay Rd. He specifically called attention to the text of the Michigan Zoning Enabling Act, Act 110 of 2006 with regard to the state regulations pertaining to co-location of additional telecommunication equipment on previously approved tower structures. Discussion ensued among the commission, and with the Zoning Admin, regarding the history of the existing tower, the details of the proposed project, the current landscaping conditions of the site, and road access to the tower location.

The following exhibit items were considered during the review of the site plan for the proposed project: Evangeline Township Zoning Ordinance, Planning & Zoning Staff Report dated 9/1/22, Evangeline Township Planning Commission Special Meeting Minutes dated 9/16/1999, Site photos, Map images, Parcel data, Project design specifications and mechanical configurations.

After consideration of the exhibits, the Planning Commission completed a Decision and Order Findings of Fact document (*attached*) and raised a question over the standard (Section 6.02. E. i. of the Evangeline Township Zoning Ordinance) requiring the site plan to conform to all applicable requirements of the Township, County, State and Federal statutes regarding how to obtain confirmation of compliance.

Instruction was given to the Zoning Admin to obtain a copy of letter from the Federal Communications Commission (FCC) regarding compliance of the proposed project with their permit requirements as satisfaction of this standard.

Motion, by Larry Taylor to accept the Findings of Fact as presented, seconded by Linda Fry. Vote: all ayes, motion carried.

Motion, by Jeff Langhart to approve, based on the Findings of Fact and subject to confirmation of compliance with all State and Federal requirements, the request for co-location of additional equipment on the existing cell tower located at 3115 Old Horton Bay Rd, seconded by Larry Taylor. Vote: all ayes, motion carried.

7.0 Unfinished Business: None

8.0 Reports, Communication, Commissioner Comments: None

9.0 Staff Reports: Planner/Zoning Administrator Report

A copy of the August 2022 Planning & Zoning Activity Report was included in tonight's meeting packet. Report was briefly discussed after which attention was called by Chair, Cortright to an area off Wildwood Harbor Rd where there is a new driveway, or possibly two, being constructed in a wetland area which needs EGLE notification and or confirmation of permitting.

Member Jeff Langhart called attention to a property on Glenwood Beach Rd where mature trees were removed from within the Natural Vegetation Waterfront Buffer Strip which needs followed up on by the zoning office.

Discussion ensued regarding the possibility of adding information to our website relating to zoning, specifically in relation to Waterfront development and the Natural Vegetation Waterfront Buffer or other special zoning topics. Chair, Cortright asked if the Zoning Admin could have something prepared for the next meeting. Affirmative response provided by Zoning Admin.

10.0 Next Meeting: The next meeting of the Planning Commission is a Regular Meeting scheduled for October 18, 2022, at the Evangeline Township Hall at 5:30 p.m.

11.0 Adjournment: Meeting adjourned at 6:14 p.m., by Chair, Cortright.

Submitted By: (Recording Secretary absent for this meeting)

Bonnie J Shunatona

Bonnie J. Shunatona, Zoning Administrator