

Milton Township

32097 Bertrand Street, Niles, MI 49120 Phone (269)684-7262 Fax (269)684-1742

Email: milton@miltontwp.org Website: miltontwp.org

Planning Commission

Members: Kara Boyles, Jeremy Clanton, Richard Hebard, Ron Jureziz, Sandra Redman, Kelly Sweeney and Sharon Ward

Minutes for July 9, Meeting

Call to Order: 6:30.P.M.

Roll Call: All members were present

Presentation by Michiana Supernet:

Kurt Sells from Michiana Supernet made a presentation of their proposal to bring high speed internet to Milton Township. At the present time this company is providing service to multiple rural areas of Berrien and Cass Counties. They proposed to begin with internet connection in Milton Township in the Beebe- Runkle road area using a 65 foot antenna that is already in place and to proceed to laying underground cable for connections for this area. The map that was presented showed extending service south to U.S 12. The second phase that was proposed was to extend their cable connections to Bell Road where they can connect to a fiber optic cable that they already have in place which would then become the signal source for their newly laid cable. This meeting was attended by over 40 citizens and multiple questions were asked. Initially the Zoning Administrator pointed out that the present tower that Michiana Supernet is using is illegal. He recommended two remedies to correct this problem. First they could apply for a Conditional Use permit for the tower and that might take until August of they could ask the Planning Commission to change the Zoning Ordinance to allow internet towers. The faster way to approve the present tower would be by applying for a Conditional Use permit. A summary of the answers to a number of the questions follows: 1) The completion time for the connections for the Beebe-Runkle road areas was estimated to be two to three months. 2) It was estimated that the completion of connections for the area west of Beebe Road to Bell Road would take about twice as long as the Beebe-Runkle Road area. 3) The speed of the internet service to be provided would be either 4.5 Mb or 12 Mb for downloads and the proposed costs would be \$49.95 or \$79.99 respectively per month. 4) The proposed installation cost would be \$195 per household and this would include burying the cable line to the house and the installation of a basic cable modem. If more than 150 feet of buried cable is required to connect the home to the main line then an additional connection charge would be required. 5) Initially only internet service would be provided; however, after all of the kinks are worked out the company plans to offer phone and television service. No time line for the addition of these additional services was provided. 6) Once service is provided north of U.S.12 they are willing to investigate providing service south of U.S 12. 7) It was pointed out that because of the rolling and heavily wooded nature of the northern part of Milton Township the only way to provide internet service is by laying cable to those homes and that there was no way to reach many of those homes using antennas.

Election of Officers:

Ron made a motion that the Bylaws of the Planning Commission be amended to provide that the newly elected officers would take office at the next meeting following their election and that the outgoing officer would mentor the new officer for the month following their election.

This motion passed 7-0 by a roll call vote.

Chairman: Kelly was elected.

Vice Chairman: Kara was elected

Secretary: Sandra was elected.

Public Comments: None

Agenda: The agenda was altered to allow Michiana Supernet to make their presentation first.

Zoning Administrator's Report: One land division and four site plans were reviewed. Meetings with four developers have occurred. Enbridge Company did not appear for the Conditional Use hearing for which they had requested that we move our meeting to July 9.

Township Board Member's Report: Kara Boyles and Jeremy Clanton were appointed to the Planning Commission for three year terms. Sandra Redman was appointed to the ZBA. The Master Plan was approved by a 3-2 vote. A special Board meeting will be held On July 23 to address the ambulance assessment in Milton Township.

Zoning Board of Appeals Report: No activity.

Old Business:

1) Final Master Plan and distribution plan

We are to receive 20 copies of the final Master Plan from Williams and Works for distribution after we receive the Board's Resolution of approval which will be included in the final copy of the Master Plan along with the Resolution of Approval from the Planning Commission.

2) Update on the Williams and Works Zoning Ordinance Audit

With the completion of the Master Plan the audit will be started.

3) Template Format Discussion and Preparation Procedures

A discussion of this item occurred and it was pointed out the members had agreed not to use the Clerk's name in what the Planning Commission forwards to the Board.

4) Article 14.14 Returned from the Board.

This addition to the Zoning Ordinance was returned from the Board for review because it was unclear where this addition was to appear within Article 14.14. A motion was made to approve the following changes to Section 14.14:

Insert/Add the following provision after the "Purpose" paragraph and before the "Definitions" paragraphs:

Exemption: Milton Township owned towers and related equipment used for the health, safety and general welfare of Milton Township residents are exempt from the requirements of this Ordinance. Further towers and related equipment placed on property owned or leased by Milton Township are also exempt. However, site plans must be submitted to the Township showing the safety provisions used for such towers and related equipment.

By a roll call vote of 7-0 this motion passed. It was agreed that the Zoning Administrator will prepare the documents that will be sent to the Board.

5) Article 14.14 Possible Amendment for limited use cell towers

The following motion was made for approval:

This addition to Section 14.14 is to be inserted following the paragraph titled Propagation Data and in front of the paragraph titled Conditional Use.

Wireless Communication towers for limited service: Such use shall not be considered for regulation under This section of this Ordinance provided such tower, or the installation of any such antenna or tower, is:

- A) A free-standing tower
- B) Does not exceed 65 feet in height
- C) Has a base not to exceed 36 inches in length at ground level
- D) Has no ground level equipment building required
- E) No antenna or structure extends more than 6 feet horizontally from the tower
- F) Has no illumination equipment/lights installed or shining on the tower
- G) Erected in Single Family Residential, Rural Residential, Agricultural Production, Industrial or Commercial Zoning Districts
- H) A shield shall be provided that prevents climbing on the tower

However any such limited use internet tower shall be covered by the site plan approval and setback requirements for the respective zoning district requirements

This motion was approved by a 5-2 vote with Richard and Sharon voting no. This proposal will now go to a Public Hearing which will be held either on July 30 or August 6 depending on how quickly the paper can publish the announcement.

6) Garage Sales

Sandra and Kara are to review this issue and present their ideas at our next meeting.

7) Home Occupation/Home business

Richard and Ron are to review this issue and present their ideas at our next meeting.

8) Agricultural Production District- dwelling units per existing language that limits the occupation to farmers, farmers families or farm employees

Richard and Sharon are to review this issue and present their ideas at our next meeting.

New Business: None

Board Member's Comments: Kelly scheduled a special meeting for July 30.

Announcements: None

Time of adjournment: 9:30 P.M.

Respectively submitted,



Ron Jureviz, Secretary

Approved On: July 30, 2012