

**Vergennes Township
Regular Meeting Township Board
January 16, 2017**

The meeting was called to order by Tim Wittenbach at 7:00 pm

Roll Call - Wittenbach, J. Hoffman, Gillett, H. Hoffman, Rasch were all present.

A motion to accept the agenda as presented by Gillett, J. Hoffman supported. **Motion carried**

The minutes were accepted as amended (*name: spelling correction*) with a motion by Gillett, supported by J. Hoffman. The Treasurer's report was read. J. Hoffman motioned to approve the invoices listed. H. Hoffman supported and the **Motions carried.**

UNFINISHED BUSINESS

1. Verizon Cell Tower Application

Wittenbach opened up the board discussion and questioned if there was a representative from Verizon at the meeting. John Crane introduced himself as the lawyer and representative for Verizon Wireless. He stated that he was introduced to our lawyer Jim Doezema just last Friday regarding an extension beyond the 90 day application deadline. There were multiple exchanges between the lawyers, but the request for the extension from our lawyer was not acceptable for his client (Verizon). He informed the board that Verizon would extend the application beyond the 90 days to the next Township Board meeting on February 20, with his verbal assurance. He pointed out that there was a court-reporter present, taking notes of the entire meeting verbatim. He informed The Board that Verizon would not break any federal, state or local laws. They will adhere to the FAA's requests and comply with the frequency spectrum.

Crane then addressed some of the public questions and concerns that were brought to his attention by the Faulk and Foster representative who attended the January Public Hearing.

- He explained that the location was a good site with clear land and mature trees behind. He gave information about the generator noise- decibel information, will sit 20' from the tower on a hard surface, run one-time per week during daylight hours and be quieter than a typical lawnmower. The only time it would run constantly would be if there was a civil defense problem and it would be used for emergency services.
- They contacted the Airport Authority and the proposed site is not in the airport approach and documents would be provided to The Board stating this.
- He told of other Michigan park locations where there are monopoles: Gross Pointe Park, St. Clair Shores, John Ball Park Zoo and a location on the coast by Lake Michigan. Crain said there are 20 monopoles in Michigan State Parks on state land.
- He addressed the public concern about pole failure. He was surprised by the public's concern regarding the engineering firm that provided the specs also being the supplier of the monopole. He stated that the pole supplier is also a professional engineer. He stated that if The Board requested a 2nd opinion that one would be given or names would be supplied if The Board chose to seek out their own Independent Structural Engineer.
- He confirmed that the company does any soil boring that is required and goes 10 ft further. The pole is designed to withstand an earthquake. He mentioned that there has never been a monopole failure in the United States. They are designed to flex and move 5% of the height of the structure. They are designed to move with the wind.

- Crane addressed The Board again and voluntarily extended the offer to extend the application from the normal 90 days to the February 20th Board meeting.

There was board discussion. H. Hoffman asked Mr. Crane about the maps that were requested at the January meeting, stating they had not been provided. Crane apologized for the delay and said that coverage maps with street information would be provided by Friday.

Wittenbach recommended The Board table the decision to the February Board meeting allowing time to get all of the information to make an informed decision. Wittenbach motioned to table to the February 20th board meeting, H.Hoffman supported. **Motion to table to February 20, 2017 Board meeting carried**

NEW BUSINESS

1. Lowell Senior Neighbor Center support request- A letter was received from Lowell Senior Neighbor Center requesting the allocation of CDBG funding. They requested \$5500 to be allocated. J. Hoffman motioned to allocate the CDBG funds and Gillett supported. **Motion carried**
2. New laws regarding medical Marijuana & Municipalities- A Grand Rapids law firm approached J. Vandersloot regarding getting the Vergennes Township Board's thoughts about adopting an ordinance that would allow any of the four legal activities involving marijuana to take place in the township. Vandersloot noted there are new laws in place that outline 4 types of activities involving marijuana: grower, processor, transporter, and dispenser. She said the law only allows one activity per person. Even though the state allows this activity, none of the above mentioned activities can take place without a local ordinance and she noted there is some type of monetary kickback to townships from registration fees. There was board discussion on this matter. Wittenbach motioned to deny the marijuana ordinance, J.Hoffman supported the denial. **Motion to deny carried**
3. Vergennes Broadband Fiber Optic Proposal-Vergennes Broadband proposes to bring VB Fiber internet to Vergennes Township Hall at cost of \$23,500. VB agrees to cover \$9,000 with the balance to Vergennes Township of \$14,500. The internet rate and three Voice-Over IP phone lines to the township for a discounted rate of \$144.99/mo. Board held discussion It was noted that this would be a cost savings to the township of \$500 a month from their current phone and internet provider. Board discussed a grant would be written to the Lowell Cable Endowment Fund for \$14,500. Wittenbach motioned for the grant to be written to the Lowell Cable Endowment Fund for \$14,500 for the VB Fiber proposal, J. Hoffman Supported. **Motion carried**
4. PA 198 Application received from Poultry management Systems- Board needs to approve starting the process of establishing a blanket Industrial Development District. Wittenbach- opened discussion. -Noted that The Board's approval is needed to move forward with looking into an Industrial Development District. Gillett motioned to start process of looking into the Beiri Industrial Drive area becoming an Industrial Development District. J. Hoffman Supported. **Motion carried**

CITIZEN'S COMMENTS

Multiple citizens' comment regarding the proposed tower location as follows:

- A resident believed that Verizon did not come prepared. Questioned what law or statute would allow the application to be postponed beyond the 90 days without a written agreement? Concerned that Verizon will just wait until the 90 days is up and by law, the application is approved.

- The Board needs all the information to make an informed decision. The Board can't just deny the tower due to people not wanting it. There has to be a legal reason to deny the application and The Board needs to gather all of the information before making a decision.
- It was mentioned that the residents want to feel heard. They want to have their questions from the January Public Hearing answered. Has Verizon looked at other properties?
- A resident heard that Verizon was looking at a site on the corner of Beckwith and Lincoln Lake. It was noted that multiple calls were received at the Township Hall and were directed to Jeanne Vandersloot the Zoning Administrator from residents wanting Verizon to put the cell tower on their property. A Verizon contact name and phone number was provided to these residents.
- Dean Alger introduced himself. Spoke about his cell tower on 3 mile. Took a year to get approval, ten years ago. He understands why Verizon would want the site they chose on Beckwith, but was surprised that the Federal Aviation would approve a tower that height in that location or wouldn't require obstruction lighting. He suggested that The Board obtain a 'NOTICE OF "NO HAZARD" from the FAA to ensure this location meets regulation. He wondered if Verizon had looked at co-locating on other towers. He noted that FAA requires obstruction lighting at 200 ft, but they can require it on lower towers. He explained that new obstruction lighting on cell towers is LED lights with magnified lenses and has an extremely bright, intense beam. He believes that this newer type of obstruction lighting, if required on a shorter tower, could be very bright to homes in that area.
- It was noted that the pole may not be on the flight path, but they have watched planes fly over that area.
- Someone questioned if the tower has to be that big in the rural area believes it would be an eye sore.
- A resident mentioned that the FCC has laws that require everyone to have access to a land line. The Board was encouraged to inform the resident that shared her emergency story at the last board meeting of this information. If this resident continues to be denied a land line, she should talk to one of our congressman.
- Roger Sabine with Kent County Parks introduced himself. Noted that he sees John Ball's cell tower every day. He said that anyone on the bridge, or in the park or on the river will see the tower. He feels that the tower would essentially be in the park. There is a possibility for a new shelter to be built on Covered Bridge Road in the future. He mentioned that Vergennes Township uses the Covered Bridge as a seal for the township.
- The hiking trail is nearby and they would see the tower from there.
- Mr. Crane explained the problem with the extension of time (for the application) was that Vergennes' attorney wanted to extend the time one week past the February Board meeting. He said this was not acceptable for his client, but if we have a stipulation between attorneys, it can be extended to the next Board meeting. He said they would do that.
- The Board asked Mr. Crane if anyone from Verizon had looked into co-locating on other towers or if another sites have been looked at. He said that they looked at co-locations but no sites are available and he has the paperwork showing the details and could provide us with that. He then stated that no other sites are being looked at. This site is it.
- Crane recognized that they are waiting on the FAA report and he believes they will have it back in three weeks. He said they could get an air space engineering firm to give us their opinion because they do the same thing as the FAA. He said that the FAA has the power to require

lighting on structures under the 200ft height and if required, they would be the LED lights that were mentioned by D. Alger.

- Could Verizon put up a less obtrusive tower? Resident mentioned that Vergennes Broadband has wireless on various silos in the area and is already running fiber to Fallasburg. Wondered if Verizon couldn't do something more like the shorter tower that Ryan Peel put up on Beckwith. He thinks that tower on Beckwith receives its signal from Grand Rapids.
- Crane commented that Verizon is expanding. They are in a growth industry. Their wireless network is different than what is attached to a barn or silo around here. There is a substantial investment made by Verizon Wireless. They are in the largest build program to provide service.
- Resident has concerns if the tower is lit, but also concerns if the tower is not lit.

*****The meeting was adjourned at 8:01 pm.
The next meeting is set for February 20th, 2017 at 7 p.m.

Respectfully Submitted,

Heather L. Hoffman, Clerk