

**TYRONE TOWNSHIP PLANNING COMMISSION
APPROVED PUBLIC HEARING MINUTES**

**SPECIAL LAND USE PERMIT REQUEST
FORTUNE WIRELESS REPRESENTING AT&T**

December 14, 2010 7:30 p.m.

PRESENT: Dave Hanoute, Steve Hasbrouck, Ed Kempisty, Deb Lee, Mark Meisel, Laurie Radcliffe

ABSENT: Brandon Peabody

CALL TO ORDER: 7:30 p.m. by Chairman Hanoute

READING OF THE PUBLIC NOTICE: The notice was ready aloud by Secretary Radcliffe Burtch

CORRESPONDENCE:

PURPOSE OF THE HEARING:

The purpose of the Public Hearing was to receive comments regarding the request of Dan Mondrella of Fortune Wireless, representing AT&T, for consideration of a cell tower in Section 13 of Tyrone Township, FR parcel13-400-010.

COMMENTS FROM THE APPLICANT:

Michael Gasser and Dan Mondrella of Fortune Wireless appeared before the Planning Commission with additional information.

Mr. Gasser told the Planning Commission that Fortune Wireless intended to construct a monopole wireless communication tower in Section 13 for the use of AT&T. The search area was established by their RF Engineers based on the lack of AT&T service in a designated area. First they look for any existing towers or tall buildings in the search area before they begin looking for new locations. Once an interested property owner is found, Fortune makes preliminary surveys and geotechnical evaluations prior to designing the tower and preparing drawings. They also evaluate environmental conditions, historical preservation concerns and other factors before presenting a site for consideration.

The Township's Zoning Ordinance only allows towers in a B-1, B-2, M-1, or M-2 zoning districts, but none of the properties in those districts met AT&T's search criteria. The

properties meeting their search requirements were all located in RE Zoning Districts. The propagation maps prepared by their RF engineers were based on a service area with a fixed 5 mile radius and show no existing AT&T owned or shared sites within the search area. The propagation maps show their existing coverage areas within the White Lake Road and M59 area, the level of service coverage surrounding their proposed site, and the improved service resulting from the proposed tower location (MI 2256). Green and blue areas indicate the best coverage while yellow and red areas indicate unreliable coverage. An existing monopole tower near the intersection of Parshallville Road and Old US 23 (Section 32) is being reworked to improve expressway service (MI 2257). The Section 13 service models are based on a tower height of 170 feet.

Tower MI 3877 on the propagation map is located in Rose Township where the coverage is limited by the topography. The service capability is based on tower height, topography, and equipment. AT&T's objective is to provide home and building coverage. Mr. Mondrella noted that tower MI 3877, located on the Rose Center fire station, is 165 feet tall and holds 5 or 6 service providers.

Mr. Gasser explained that AT&T is required to file with the FCC and FAA to determine if the tower needs to be lighted or painted. Since the site is at least 5 miles from an airport, tower lighting won't be required. He also provided a copy of the Surety Bond agreement that would be provided for the land owner.

Their information provided at the meeting included the geo-technical report and a revised Title Page (T- 1), a revised site layout (C-3), a revised fence detail excluding the use of barbwire (C-7), the proposed utility easement and connections; (E-3) and a revised landscaping plan (LS-1) showing 6 foot spruce trees used for screening purposes. The appearance and construction of the equipment shelters is similar to housing used by other cellular service providers. The buildings will be a basic beige color with a galvanized grey monopole.

AT&T has requested a tower height of 170 feet to provide room for co-location, but they could live with a 150 foot tower excluding co-location. The site is large enough for a guy wired tower, but they opted for a monopole, usually used in urban areas, because of the site's residential zoning classification.

Township Clerk Kremer asked if the equipment would support internet connectivity and at what speeds or if the use of private auxiliary antennas could provide connectivity that isn't available today. Mr. Gasser said they are planning to install equipment that would provide for future 3G and 4G connections, but the first objective of the tower would be to provide cell phone coverage.

Mr. Hanoute noted that the propagation maps only addressed the coverage provided by AT&T and wondered if there would still be a black hole in that area if the propagation maps of other providers were looked at. Mr. Gasser said he would be unable to provide propagation information from other carriers. Population density and the number of users creates an impact on service and a drain on the equipment, especially during peak traffic hours, but not all of the population would be using AT&T.

COMMENTS FROM THE PLANNER:

Sally Hodges of McKenna Associates said that her Memo submitted to the Planning Commission December 9, 2010 was based on the original application information. Based on the Zoning Ordinance tower location requirements, Mr. Gasser needs to demonstrate that there is no alternative location available to provide coverage and that the facility design is compatible with the area.

The request should note if the facility height is based on the top of the pole or the top of the antenna and should provide coverage information based on higher or lower tower heights at the proposed location. She asked for propagation modeling to show what actually happens to signals at various heights and identification of the frequencies proposed for use by AT&T at this location.

The size and construction of the tower access turn-around area should be identified on the site drawings. A fall zone equal to the height of the tower is required and should be established as part of the site plan and lease agreement. Site illumination information is required including a detailed evaluation of the proposed lighting levels and the location of lighted areas including the tower. The plan should provide information about the total height of the tower based on the site elevation, the tower height, and the location of the equipment.

PLANNING COMMISSION COMMENTS:

Mr. Meisel asked Mr. Gasser to confirm that setting the lowest tower elevation level at 140 feet would allow for three additional co-locators, if they would be designing for future technology without requiring significant antenna changes, and if they could increase the reception range by increasing power. Mr. Gasser replied the range is based on FCC requirements. None of the area towers currently available can provide co-location at the minimum height required for AT&T's operation. Mr. Meisel observed that based on tower height and elevation, the Township's cell towers seemed to be running at 1,050 to 1,100 feet total elevation with a reasonable range and good signal strength within a 2 mile radius.

He asked if their tower should be 30 feet higher in order to provide good propagation opportunities for future tower co-location users and if higher elevations could improve propagation beyond their minimum service radius expectations. He asked for information related to higher and lower equipment elevations to consider need impacts relative to the numbers of towers. He also asked for signed and sealed engineering drawings certifying the structure and the fall zone.

The applicants explained that Fortune Wireless could provide height propagation maps for AT&T, but not other providers. Another issue affecting service would be the Township's existing tower infrastructure. Signal strength is also affected by the number of users as well as the height of the tower and capacity varies by the hour, especially during rush hours.

Mr. Mondrella said that the Parshallville site has a 195 foot tower built in 1998 which was initially used by AT&T. They are going back to that tower along with Verizon, T-Mobile, Metro PCS, and Sprint-Nextel. The lowest service height at that location will be 155

feet. If the Parshallville Road tower wasn't 195 feet tall, there would be many other companies knocking on the Township's door for tower locations. He recommended building the new tower as tall as possible.

Mr. Meisel estimated that under ideal conditions, signal ranges might be six to ten miles, but in this area topography is the number one limitation. Mr. Mondrella commented that another problem for service providers is the lack of municipal property locations like parks or institutions.

Mr. Gasser told the Planning Commission that AT&T has two frequencies assigned to it in this area: 1900 and 850 Mhz.

PUBLIC COMMENTS:

Forest Shook, 10160 Carmer Rd., asked if AT&T had looked at the wetlands in proximity to the tower. He was told the tower was not located in a wetland and was farther away from wetland area than the house adjacent to the property. Mr. Shook then asked about using the proposed 350 foot tower a mile to the east of the AT&T site. Mr. Hasbrouck said that was a State Police tower and they refused to let anyone else locate on it.

Mr. Shook asked about the Zoning Ordinance which stated where a tower could be located. Ms. Hodges replied that the Ordinance uses a three tiered tower location standard. Antennas are allowed to locate on existing tall structures, on other towers, or on Township property. Subject to special approval, towers can be located in the B-1, B-2, M-1 or M-2 Zoning Districts. If none of those sites are available, they can attempt to locate towers in other zoning districts as a Special Land Use based on specific requirements. Mr. Meisel explained told Mr. Shook that if the Planning Commission recommends approval or not, the request will still have to go to the Township Board for their review.

Mr. Shook's next question was about the valuation of his property or the surrounding property, where a tower is located. He said he had heard about the devaluation of property resulting from towers. Mr. Hanoute commented that the Township doesn't devalue tower property although the market might. Mr. Kremer explained that the property owner pays property taxes but gets the tower rent. The tower owner or leaser pays the Township an equipment tax as any business does. If you put equipment on the tower, the personal property tax is paid by the equipment owner.

Mr. Shook asked if there would be a legal notice regarding approval of the tower. Mr. Hanoute said the legal notice for this hearing has been published, but the action of the Planning Commission and the Township Board doesn't have to be. Mr. Kremer explained that the Agendas and Minutes were published on the Township's Web Site, and the Board Agendas are published in the paper a week in advance.

Mr. Shook asked about the value of a historical site. Mr. Gasser said that whenever they build or modify a tower, they have to hire a third party to make an historic property evaluation within view of the tower. The sites are also evaluated by state and local preservation groups.

Don Peitz, 13520 White Lake Road, asked if there was engineering proof regarding the feasibility for co-location if this tower becomes taller. There needs to be proof so that later some one can't say the tower isn't tall enough for co-location and then put another one beside it. The Planning Commission should make it an objective to have as few towers as possible and have them provide co-location capacity.

Ms. Hodges said that Fortune Wireless has submitted documentation for the tower that shows the tower design with specific antenna on it and they have certified the tower for that specific load and that specific antenna. Questions arise when Verizon or some other service provider comes in and wants to locate on the tower. Their antenna configuration and their wires may not be compatible with the AT&T specifications. At that point, the information needs to be reviewed again to make sure the tower won't fall or be overloaded.

Mr. Peitz said he just wanted to make sure that we could locate other service providers on existing towers in the future and not have to build another one. Ms. Hodges said another alternative could be to rebuild or replace an existing tower. Mr. Mondrella noted that the Parshallville Road Tower has been modified two different times and just recently has been reinforced with rebar. Mr. Pietz wanted to know how the Township could enforce tower co-location. Mr. Gasser explained that whenever a carrier co-locates on an AT&T Tower, that carrier is required by AT&T to provide an evaluation by a third party engineer.

Supervisor Mike Cunningham, 6264 Bullard Road, thought that the discussion was about a tower of 170 feet, but then there was a discussion of a tower at 150 feet. Mr. Mesiel said that was a request for information about why a tower wouldn't be sufficient at 140 feet or 150 feet related to the height as a function of signal in order to determine if the height is sufficient but not excessive.

Mr. Cunningham asked if the Tower was sufficient at 140 feet, wouldn't the applicant have to create a propagation map at 150 feet to insure that co-location could work. At what tower height does co-location with three other providers cease to be feasible? Mr. Gasser said their RF engineer gave AT&T 150 feet, but he doesn't know the exact height that other carriers would need. AT&T can operate at less than 150 feet, but that limits their ability to co-locate. Mr. Hanoute said that the current co-locators would be able to generate propagation maps for their locations if we request it.

CLOSING PLANNING COMMISSION REMARKS:

Mr. Hasbrouck thought that AT&T would probably be able to put barbed wire on top of the wire fence at that location because it is a utility and the site will be screened as required (Ordinance Article 21.13.D). Mr. Mondrella said they would prefer to use barbed wire for security reasons. Mr. Hanoute said that the Township could review the Essential Services Ordinance (21.46) to determine if there is a loophole.

Mr. Hasbrouck asked if AT&T planned to have a generator at the site. Mr. Mondrella said they didn't plan to use one, but could bring one in to the site in the case of an emergency. They will have battery backups at the site for temporary use.

Mr. Hasbrouck noted that the tower would be located approximately 160 feet from the closest wetland, which is good separation for that type of equipment. They will have to deal with soil erosion and other construction requirements, but there is probably more runoff from Tipsico Lake Road into the wetlands than there would be from the tower site.

There being no further comments, the Hearing was closed by Chairman Hanoute at 9:20 p.m.



Laurie Radcliffe, Secretary
Tyrone Township Planning Commission



Barbara Burtch, Recording Secretary
Tyrone Township Planning Commission