

**ALPINE TOWNSHIP PLANNING COMMISSION
REGULAR MEETING
January 21, 2016**

**16-01 CALL TO ORDER / APPROVAL OF THE REGULAR MEETING MINUTES OF
December 17, 2015 / PUBLIC COMMENT ON NON-AGENDA ITEMS**

The Alpine Township Planning Commission held its regular meeting on January 21, 2016 at 7:30 p.m. at the Alpine Township Center, 5255 Alpine Ave., NW, Comstock Park, MI 49321. Present: Chair Bruce Lee, Vice Chair Mike O'Malley, Secretary Lisa Frizzell, Ron Cordes, Chuck Jakems, Mike Kayner and Dawn Swafford. Planner Susan Becker, Recording Secretary Rose Kogge, Township Attorney Jeff Sluggett and Arlene Wright, Court Reporter were also present. Chair Bruce Lee called the meeting to order at 7:30 p.m. with the Pledge of Allegiance.

APPROVAL OF MINUTES

Jakems moved, with support from O'Malley to approve the minutes of the Regular Meeting of the Alpine Planning Commission on December 17, 2015.

Ayes: 7 Nays: 0 Motion Carried

Chair Lee opened the meeting up for Public Comment on any non-agenda items. No comments were received.

**16-02 PUBLIC HEARING: SPECIAL LAND USE AND SITE PLAN REQUEST FROM
FRED LOW TO ALLOW FOR THE CONSTRUCTION OF A 155-FOOT
COMMUNICATION TOWER AT 1937 4 MILE ROAD WITHIN THE RA, RURAL
AGRICULTURAL ZONING DISTRICT**

Chair Lee asked Planner Becker to review the Staff Report. Becker stated the Planning Commission has heard comments on this request during the open public hearing at previous meetings but has not seen the Staff Report until now. Fred Low of Chaille Tower Consultants has requested special land use and site plan approval for the future construction of a communication tower greater than 35 feet in height at 1937 4 Mile Road. The 5 acre property is zoned both RA, Rural Agricultural and A, Agricultural. Becker included a picture of the property in the staff report. She also included a zoning map showing the surrounding area, the property across the street (which is in the City of Walker) and a map of cell phone towers in the area.

Becker reviewed the Special Land Use analysis. In order to approve the requested Special Land Use the Planning Commission must find that the proposed use meets the six standards of Section 21.02(h). She commented that to meet the conditions of special use standard #1, the fenced compound must be properly screened with evergreens to minimize its at-ground appearance to future residences in the area, and all ground equipment shall be located inside shelters rather than outdoor cabinets. Regarding standard #4, because the tower is located closer than its height of 155 feet to the lot line, it is the applicant's responsibility to obtain from the adjacent property owner a no-build easement. This easement would prohibit the adjacent property owner from erecting structures within the fall zone of the tower and shall be in a form acceptable to the Township and must be recorded.

Planner Becker reviewed the Special Use Standards for Communications Towers; Becker asked if the applicant would further explain the desired coverage area provided by the Verizon tower at 4405 Alpine Avenue. Becker reviewed the Site Plan Analysis (fenced compound, tower, no-build easement, access and circulation, equipment shelter, landscaping, signage, and validity of site plan).

Planner Becker commented that she has a letter from Andy Felde of Drew Wireless (a radio frequency engineer the Township contacted), his analysis was that the proposed location does not work well with the existing infrastructure and other carriers. He also commented that an ideal wireless infrastructure location is one which is highly desirable by multiple carriers.

Planner Becker stated the question tonight for the Planning Commissioners is not whether this is an ideal tower location for one or many carriers, but does Verizon have a coverage gap in this area and does the proposed tower location alleviate that gap.

Planner Becker also noted that she received a letter on January 19, 2016 from Joanne Hieshetter. Ms. Hieshetter is the eldest daughter of Frank Brechting (the adjacent property owner to the tower) and is not in favor of the proposed telecommunications tower.

Chair Lee reminded everyone that the public hearing has remained open since the last Planning Commission meeting on December 17, 2015. He invited audience members to speak regarding this special land use and site plan review.

Fred Low, 216 Barton Ave, Terre Haute, IN and Steven Estey, Attorney with Dykema and Gossett are here representing Stout & Company. Low manages these sites across the United States for Verizon to service their needs and develop propagation maps that show existing sites and future areas of need. Low explained how they select the sites for telecommunications towers. They look at existing sites in the areas that have weak spots and work to "honeycomb" off of the towers to create a seamless area of service. Verizon asked Stout & Company to find a site in this area to address a weak spot of coverage. We look for existing structures that would work, per our engineers there were none in this area that would work. Stout & Company then began the search for land in the area that would work. We contacted several land owners in the search area, some did not return our calls. There was some initial interest from three or four landowners but those talks eventually went dormant. We did talk to Mr. and Mrs. Duane Brechting and they agreed we could install the telecommunications tower on their property. Once we determined that was a possibility we went back to the RF Engineers and asked if the Brechting property would work to fix the weak spots of Verizon coverage. They said it would work perfect and we moved ahead with this application.

Fred Low addressed the chain link fence mentioned in the staff report and said that was acceptable as well as an equipment shelter for Verizon equipment. The landscaping request is also ok, we will add this to the building permit application.

Steven Estey, Attorney representing Stout & Company stated that this tower is for Verizon. The standard tonight is not whether this tower best serves other carriers, it is whether it serves Verizon's needs for coverage. He notes you shall not discriminate between providers. On the no-build easement we do have a letter of intent that the adjacent property owner (who is the father of the siblings) where he has agreed to give that no-build easement. We understand that

would be a condition of approval and we will work with the Township's attorney to obtain a form acceptable to the Township and understand it must be executed and recorded it as a condition of approval. Estey commented that he did meet with the family to address their concerns, we were unable to reach an agreement. We offered to move the tower a little bit away from their houses and that was rejected. If you look at all of the provisions of your ordinance, all of those have been met and you have staff recommendation for approval. We understand we have an obligation to get the no-build easement.

Chair Lee asked the Planning Commission if they could hold their questions until after the public hearing. This is the 3rd month of the public hearing which is still open, but we will ask for a motion to open the public hearing.

Kayner motioned, supported by Cordes to open the Public Hearing.

Ayes: 7 Nays: 0 Motion carried

Attorney Ryan Huizenga (Verspoor Waalkes) retained by Brechting opponents was asked to look at zoning codes to see if there are any issues. He stated there is an issue, if you look at Standard 21.02 the tower has to be compatible with the Master Plan. The intended future use of the Master Plan is LDR, you cannot install a cell tower over 35 feet on LDR or can you get a site plan for a tower taller than 35 feet. Your zoning codes prohibit this tower because this is planned LDR. You are bound by your zoning ordinances.

Bill Brechting, 3680 Baumhoff NW, is an adjacent land owner and has Power of Attorney for Frank Brechting, the other adjacent land owner. This is the last thing I thought I would ever have to do; argue about my property. You had asked me to obtain factual statements from appraisers that my property would be devalued because of a cell tower. I could not get that information, it is difficult to get true factual statements. I am also speaking on behalf of my father, he is 93 years old, blind and suffers from confusion. I talked to him a little bit about this last night, but I don't push him because he is emotional about a lot of things. He still thinks there is an orchard there. I don't know how he understood what he was signing regarding the easement document. I don't believe it was explained to him properly. I understand my dad has to sign another paper and I request the Township say the family needs a representative there that sees that he is given an explanation of what he is signing. We also want it on record that we objected to this tower because of the health implications.

Barb Downer, 3790 Baumhoff NW, I am a sister to Duane. My dad is legally blind and we have a letter stating so. He was not able to read the document to sign it and there were no witnesses that he signed this. I have Verizon service and I have great service and have never had a dropped call in Alpine Township. I am also concerned about property value and have a page from the FHA Handbook, it says HUD requires certified appraisers to look for the presence of nearby cell towers when determining the value of a single family residential property. Their guidelines categorize cell towers as hazards and the appraiser is instructed to note and comment on the proximity of the tower. I am also concerned about the unknown health hazards of these towers. Would there be any liability insurance by the wireless provider to cover negative impacts of the site such as property devaluation and any future health problems. Also concerned about radio frequencies and crop loss, honey bees, pollination, the whole effect on Alpine Township.

Maureen Towns, 3770 Baumhoff NW., I am a sister to Duane and have worked at Spectrum Health for 37 years as a Clinical Laboratory Scientist and I call tell you that low level radiation does cause cancer. I am looking at the hot spot on the maps and I will be sitting in the bulls eye, that is where my house is. There is an international research agency on cancer that says cell tower radiation is a probable carcinogen. I am against this tower and think my father would be against it too. My dad has been blind for 15 years and has never seen a cell phone and thinks this tower is supposed to play music, he is not sure what it really is. As a family we have planned for this property to be a residential neighborhood. I think the cell tower should go south of 4 Mile.

Bill Towns, 3770 Baumhoff NW, a week ago we met with Fred Low. He said they made a mistake and did not realize the dynamics of the family. Duane and Irene were afraid to tell us for fear they would be sued by Stout for telling anyone they signed that contract and that talking could possibly cause litigation.

Cordes commented he is concerned that Mr. Frank Brechting may not have known what he was signing and there was no witness either.

Bill Brechting said the family knows his dad is confused. I am the guardian for my dad and I never thought my brother would do something that I would have to pursue and be sure there is a representative with my dad to witness his signature. I truly believe he did not realize the ramifications of what he was signing.

Steven Estey, Attorney for Stout & Company, said as he had commented before, your ordinance requires that an easement be executed. Until we have that and your Township attorney approves it there is no way we can be issued a building permit. This is an issue solely between us and the landowner. If the landowner feels the document is not appropriately signed they can challenge that. Frank Brechting has not been adjudicated as mentally incompetent. Power of Attorney can be used when a person has been declared mentally incompetent. You have had no evidence before you here tonight in opposition to this application. The applicant has put evidence before you of Radio Frequency Studies, documentation and all of that supports criteria of under your ordinance. There are family members here tonight that do not want the cell tower here. That is not sufficient, they have not demonstrated any evidence other than they do not want the cell tower. They did hire an attorney that appeared tonight and raised the question of conformance with future land use plans. First of all the RA district is a lower density zoning district than R-1. The zoning of the RA district clearly permits the construction of this tower with special land approval. The Federal Telecommunications Act (TCA) says that you can't have the effect of prohibiting wireless coverage. You will note Attorney Ryan Huizenga did not bring that up. Even if there were a conflict with a Special Land Use the Federal Telecommunications Act (TCA) clearly trumps it.

Ryan Huizenga, Real Estate Attorney for Brechting's, said the zoning ordinance must be in compliance with the Master Plan and it is not. You cannot have a cell tower over 35 feet tall. Is the TCA a threat or bluster? They can build this tower anywhere else in the Township, why don't they? They need to go to the Zoning Board of Appeals for a variance.

Jeff Sluggett, Attorney for Alpine Township, confirmed with Planner Becker that this property is dual zoned both RA and A. Under our zoning ordinance this is an allowed special land use in

this zoning district. Under the Master Plan this is in compliance. No variance is needed if the Planning Commission grants a special land use permit.

Motion to close the public hearing made by Cordes, supported by O'Malley.

Ayes: 7 Nays: 0 Motion carried

Chair Lee asked the Planning Commission if they had any questions for the applicant or Attorney Sluggett.

Jakems asked Sluggett if under current zoning the applicant would need a special land use and site plan request. Sluggett stated yes. As zoning and the Master Plan stands now this is ok. The Planning Commission needs to base its decision on the Zoning Ordinance, using the Master Plan for guidance. As a Planning Commission you have to decide too if this meets the Master Plan guidelines. Jakems asked Low if he had talked with Frank Brechting. He replied no, never met him. Jakems asked if the tower could be moved. Low said they did not ask the family because the family did not like the first location or this location

O' Malley asked Low about the 7 locations they were looking at, had these people said no would you still be looking for more locations? Low said yes, and after reviewing the ordinances and seeing the tower could be closer to the property line, we determined this location would work the best. O' Malley asked who is Drew Wireless? Becker replied the Township contracted with him to review the application; he is a radio frequency engineer.

Chair Lee said there is a huge tower on Cordes Ave. with guy wires and wondered if that was a cell tower. Low said they looked at the water tower next to it and it is too close to an existing Verizon site and causes interference. Becker said the tower Lee is speaking about is a television tower. Lee said since you are looking at the Walker towers and they are not meshing with the other towers have you looked south of 4 Mile? Is this your optimum spot? Low said they did look south of 4 Mile and had some property but the owner dropped them. We did try and reach Rockford Construction regarding the new FedEx site. Low said the way it exists right now the towers don't mesh in the 4 Mile area and that is why we are looking there. Lee asked about liability insurance. Low said they have building liability insurance. Lee asked if there was insurance in case 20 years down the road we find out these towers cause cancer. Estey said there is a lease that is signed with the Brechtings and the tower company has to maintain at sole cost for the term of the agreement. There is an up to a million dollar in damage policy to a person or property.

O'Malley asked if Estey knew Frank Brechting was in St. Ann's home and why didn't they question the signature. Estey said the son gave the signed letter to us and we did not question their integrity. We cannot control whether Mr. Brechting will give us an easement, he gave us a letter of intent. The siblings are questioning the signature. Cordes said he felt the signature should be questioned and asked if the signature was not obtained is the tower request null. Estey said they cannot build a tower without that signature.

Chair Lee reiterated that a condition of the Special Land Use is that the easement has to be obtained. Sluggett confirmed that the Special Land Use has a condition with additional verbage. Sluggett said this easement would have to be recorded with the County before anything further could proceed.

Frizzell questioned why there was not a ground equipment shelter shown on site plan. Low commented he needs approval first, they will then come back with plans for Verizon.

MOTION FOR COMMUNICATION TOWER SPECIAL LAND USE AT 1937 4 MILE ROAD

Based upon representations made by the applicant, Kayner motioned supported by Frizzell to *approve* the Special Land Use permit requested for communication tower at 1937 45 Mile Road, PP# 41-09-34-400-024 as it *does* meet the standards set forth in Chapter 21 of the Alpine Township Zoning Ordinance.

Findings of Fact:

1. With the inclusion of vegetative screening and equipment shelters, the proposed use will be designed, constructed, operated and maintained so it will be harmonious and appropriate in appearance with the intended character of the general vicinity and that such use will not change the essential character of the area in which it is proposed.
2. The proposed use is consistent with Master Plan and the intent and purpose of the RA, Rural Agricultural and A, Agricultural zoning districts.
3. The proposed use will not set a precedent for development which could adversely affect the long term plans and policies of the Township since communication towers are a special land use in the RA and A zoning districts.
4. The proposed use will be adequately served by essential public facilities and services such as highways, streets, police, fire protection, drainage structures, water and sewage facilities and schools.
5. The proposed use will not create excessive additional requirements at public cost for public facilities and services.
6. With the provision of the required non-build easement, the proposed use will not involve uses, activities, processes, materials, and equipment, or conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odors.

Condition:

1. The applicant shall obtain a no-build easement from the adjoining property owner at 1845 4 Mile Road. The easement shall be in a form acceptable to the Township and shall be recorded prior to a building permit being issued.

Ayes: 4

(Frizzell Jakems, Kayner, Lee)

Nays: 3

(Cordes, O'Malley, Swafford)

Motion Carried

MOTION FOR COMMUNICATION TOWER SITE PLAN AT 1937 4 MILE ROAD

Based upon representations made by the applicant, Frizzell motioned, supported by Kayner to *approve* the site plan dated September 16, 2015 drawn by Midwestern Consulting for the 5-acre property addressed 1937 4 Mile Road, PP# 41-09-34-400-024 as it *does* meet the requirements set forth in Chapters 6, 18, 19 and 21 of the Alpine Township Zoning Ordinance with the following conditions of approval:

Conditions of Approval:

1. The applicant shall submit 3 copies of a revised scaled site plan that includes the following:
 - Arbor Vitae shrubs or other evergreens (as approved by staff) that have a vertical growth habit shall be planted to screen the compound on all four sides. The vegetative screen shall be located on the exterior of the fenced compound.
 - A note on the site plan that all ground equipment shall be placed in shelters and not outdoor cabinets. Equipment shelter materials shall also be noted.
2. All equipment shelters shall be submitted for approval to the Township and shall be faced with exposed aggregate or other material as approved by staff.
3. Withered or dead plant materials shall be replaced within a reasonable period of time, but no longer than one growing season. It is the responsibility of the tower owner to replace withered or dead plant materials.
4. Each equipment shelter shall be labeled with the owner's name and phone number. The gate on the fenced compound shall be labeled with the facility owner's name, emergency phone number and site ID name.

Electrical meter sockets on multiple meter racks must be labeled with the user's name

5. No antenna or appurtenance change at the top of the tower shall be made that may cause the structure to be required to have lighting per the FAA or FCC.

Ayes: 4

(Frizzell, Jakems, Kayner, Lee)

Nays: 3

(Cordes, O'Malley, Swafford)

Motion Carried

16-03 PUBLIC HEARING: REZONING REQUEST BY PERRIN MOTORS TO REZONE 5115 AND 5135 ALPINE AVE FROM O-S OFFICE SERVICE TO C-2 COMMERCIAL

Chair Lee asked for a motion to open the public hearing.

Motion made by Jakems, supported by O'Malley.

Ayes: 7

Nays: 0

Motion Carried

No audience members chose to speak.

Motion made by Kayner, supported by Cordes to postpone the public hearing until the February 18 meeting.

Ayes: 7 Nays: 0 Motion Carried

16-04 PERMIT RENEWAL: RON CORDES HAS REQUESTED A 4-YEAR EXTENSION OF AN EXISTING SPECIAL LAND USE PERMIT FOR SAND MINING AT 5555 ALPINE AVE. THE MINE IS COMMONLY KNOWN AS THE CORDES MINE.

Ron Cordes excused himself from this hearing and sat in the audience.

Planner Becker commented that she liked that the surveyor added base data. He updated only the active mine area for grades: Becker would like digital topographic lines from 2014 Regis data that would bring the 2005 survey up a decade, seal it and add top soil estimates on it. This mine is in good condition, top soil is being replaced and it is graded well. Becker reviewed the Township Engineer's Mine Inspection Report dated January 15, 2016. Discussion took place whether the permit should expire in the fall of 2017 or 2018.

<p style="text-align: center;">MOTION FOR CORDES SAND MINE OPERATION EXTENSION OF THE 4-YEAR SPECIAL LAND USE PERMIT</p>

Based upon the representations made by the applicant, Jakems motioned, supported by O'Malley to approve the requested extension of a 4-year Special Land Use permit for the removal of natural resources located at 5555 Alpine Ave. (PP #41-09-23-401-001), based on Sections 21.02(h) and 21.05(f) of the Alpine Township Zoning Ordinance as it *does* meet the requirements set forth in Chapters 18 and 21 of the Alpine Township Zoning Ordinance with the following Findings of Fact and conditions of approval:

Findings of Fact:

1. The continuing sand mining operation will be operated, maintained and restored in a manner consistent with the intent of the I-1, Light Industrial zoning district.
2. The continuing sand mining operation will not create excessive cost burdens on public infrastructure.
3. The sand mining processes and materials will not produce excessive noise, dust or traffic and will be adequately buffered from adjacent land uses.

Conditions of Approval:

1. This 4-year permit extension will expire on October 31, 2018. After this time period, the mine must either cease operations or be granted another extension per Chapter 21 of the Alpine Township Zoning Ordinance.

2. This approval also incorporates by reference all previous conditions of approval attached to this sand mine special land use, unless modified herein.
3. The applicant shall submit written verification on October 31st each year to the Township showing the \$20,000 bond held by the Township is active. The Bond to the Township shall expire at least six months after the expiration of the permit (April 30, 2019).
4. The applicant agrees with all conditions noted in the Township Engineer's letter dated January 15, 2016.
5. A topographic survey of the site shall be submitted on October 31st of each year to the Township showing topsoil piles and current site grades to verify compliance with the approved plan. The Township continues to reserve the right to require, at the operator's expense, additional topographic surveys if the Township deems they are necessary to ensure compliance with approved conditions.
6. If the applicant violates the conditions of approval as originally granted in 2001 or as stated here, this Special Land Use Permit will be revoked in accordance with the procedures set forth in the Alpine Township Zoning Ordinance.

Ayes: 6 (Cordes abstained and was in the audience) Nays: 0 Motion Carried

**16-05 PERMIT RENEWAL: MIKE RUSCHEHAS REQUESTED A 4-YEAR
EXTENSION OF AN EXISTING SPECIAL LAND USE PERMIT FOR SAND
MINING AT 4173 AND 4381 BAUMHOFF AVE. THE EXISTING MINE IS
COMMONLY KNOWN AS THE DEBOER/FEEBACK MINE**

Chair Lee commented he had no concern with Cordes being back on the hearing and voting on this.

Planner Becker reviewed the Staff Report. She commented that during the 2011 permit renewal, it was established that the limits of the working mine face at the southeast corner of the DeBoer mine shall be 50 feet from existing property lines of the homes addressed 4083 and 4055 Baumhoff. Staff recommends altering the condition to be "at least 50 feet" from the property line of 4055 Baumhoff Ave and add "The top of the bank (i.e. limits of excavation) shall be no closer than 50 feet to the mutual lot line with the property addressed 4083 Baumhoff Ave. New mining setbacks are needed because parcels have been divided off and new homes built since the original Special Land Use for mining was granted in 1993. Becker reviewed the Township Engineer's Mine Inspection dated January 14, 2016. The Engineer commented that reclamation of the mining area will require as much as 30 feet of fill in the area of existing face of excavation at the southeast corner of the DeBoer mine. The applicant is reminded to start filling and compacting this area. The applicant is also reminded to retain all topsoil on-site to ensure adequate topsoil remains for reclamation activities which include spreading 4" of topsoil. Overall the mine appears well operated; there is a very minimum amount of equipment on site and no excess or broken-down equipment.

Jakems asked if there was an issue with a fence in the past. Becker said yes and the fence is back up.

Mike Rusche commented that he had to over-mine because there is so much clay to move in order to get the sand, 500-600 yards of clay are on top, but it will be put back as they mine to the north under the cornfield. The slope will come down as we fill. He will start filling the hole this spring when spring weight restrictions are in place (i.e. equipment can't be used elsewhere). We will be 150' back, plus 50' from Jim's house and it should look uniform when we are done. Becker asked what his time frame was. Rusche said they will begin in the Spring 2016. Rusche stated the Feedback mine is winding down.

Ann (DeBoer) Perry who lives with her mother Nancy DeBoer at 4083 Baumhoff, asked what will the fill be? Ruche stated mostly clay and they will use earthmovers and do density tests.

<p style="text-align: center;">MOTION FOR THE DEBOER / FEEBACK SAND MINE OPERATION EXTENSION OF THE 4-YEAR SPECIAL LAND USE PERMIT</p>

Based upon the representations made by the applicant, O'Malley motioned, supported by Jakems to approve the requested extension of a 4-year Special Land Use permit for the removal of natural resources located at 4173 Baumhoff Ave. (PP #41-09-34-100-069) and 4381 Baumhoff Ave. (PP #41-09-34-100-055), based on Section 21.02(h) and 21.05(f) of the Alpine Township Zoning Ordinance as it *does* meet the requirements set forth in Chapters 18 and 21 of the Alpine Township Zoning Ordinance with the following Findings of Fact and conditions of approval:

Findings of Fact:

1. The continuing sand mining operation will be operated, maintained and restored in a manner consistent with the intent of the R-A, Rural Agricultural zoning district.
2. The continuing sand mining operation will not create excessive cost burdens on public infrastructure.
3. The sand mining processes and materials will not produce excessive noise, dust or traffic and will be adequately buffered from adjacent land uses.

Conditions of Approval:

1. This 4-year permit extension will expire on October 31, 2018. After this time period, the mine must either cease operations or be granted another extension per Chapter 21 of the Alpine Township Zoning Ordinance.
2. This approval also incorporates by reference all previous conditions of approval attached to this sand mine special land use, unless modified herein.
3. The applicant shall submit written verification within 30 days of this approval and on October 31st each year to the Township showing the two \$40,000 Letters of Credit held by the Township are active. The Letters of Credit to the Township shall expire at least six months after the expiration of the permit (April 30, 2019).
4. The applicant agrees with all conditions noted in the Township Engineer's letter dated January 14, 2016.

5. A topographic survey of the site shall be submitted on October 31st of each year to the Township showing topsoil piles and current site grades to verify compliance with the approved plan. The Township continues to reserve the right to require, at the operator's expense, additional topographic surveys if the Township deems they are necessary to ensure compliance with approved conditions.
6. The limits of the working mine face at the southeast corner of the DeBoer mine shall be at least 50 feet from the existing property lines of the home addressed 4055 Baumhoff Ave. (41-09-34-100-072). The top of bank (i.e. limits of excavation) shall be no closer than 50 feet to the mutual lot line with property addressed 4083 Baumhoff Ave. (41-09-34-100-071).
7. This coming spring, the applicant shall have a **surveyor** place stakes every 50 feet -- not along the eastern property line of the DeBoer mine but 50 feet inside the property line of 4173 Baumhoff Ave. to denote the grading limits.
8. The applicant shall submit 3 copies of a revised plan that illustrates the 50 foot eastern grading limits for the DeBoer mine as outlined in Conditions 6 and 7 above and a revised mining/reclamation area for the property addressed 4191 Baumhoff Ave. and the illustrated 150-foot setback to the house and any anticipated structures to be built by the property owner.
9. If the applicant violates the conditions of approval as originally granted in 1993 or as stated here, this Special Land Use Permit will be revoked in accordance with the procedures set forth in the Alpine Township Zoning Ordinance.

Ayes: 7 Nays: 0 Motion carried

**16-06 DISCUSSION: THE RECREATION COMMITTEE IS SOLICITING THE
PLANNING COMMISSION'S COMMENTS ON THE DRAFT 2016-2020
RECREATION PLAN**

Planner Becker asked the Planning Commission members if they had any input on the Recreation Plan. She commented that the parks needed drainage upgrades. We need indoor recreation places and maybe we could talk to the school districts.

16-07 ELECTION OF OFFICERS AND SELECTION OF COMMITTEE MEMBERS

Motion by all to nominate Bruce Lee as Planning Commission Chair.

Ayes: 6 Nays: 0 Motion Carried

Motion by Jakems, supported by Cordes to name Mike O'Malley as Planning Commission Vice-Chair.

Ayes: 6 Nays: 0 Motion Carried

Motion by O'Malley, supported by Cordes to name Lisa Frizell as Planning Commission Secretary.

Ayes: 6 Nays: 0 Motion Carried

Committee Appointments are as follows:

Site Plan Review Committee

Ron Cordes
Lisa Frizzell
Mike Kayner

Capital Improvement Plan

Lisa Frizzell
Dawn Swafford
Chuck Jakems

16-08 STAFF UPDATES / ADJOURNMENT

Planner Becker suggested a change in the meeting start time for the Planning Commission to 7 PM beginning at the March 17, 2016 Meeting.

Kayner motioned, supported by Cordes to change the Planning Commission Meeting start time to 7 PM beginning at the March 17, 2016 meeting.

Ayes: 7 Nays: 0 Motion Carried

ADJOURNMENT

Kayner motioned, supported by Cordes to adjourn the meeting at 10:56 PM.

Ayes: 7 Nays: 0 Motion carried

Lisa Frizzell, Planning Commission Secretary

Rose Kogge, Recording Secretary