

April 28, 2016

Planning Commission
Northfield Township
8350 Main Street
Whitmore Lake, MI 48189-0576

Subject: Verizon Monopole/2727 East North Territorial Road; Conditional Use Review #1; Application received by Township on 3/18/2016.

Dear Commissioners:

We have reviewed the proposed conditional use application submitted by RJP Consulting on behalf of Verizon Wireless, for the construction of a new 120-foot tall wireless monopole structure at the Township-owned Fire Station#2, 2727 E. North Territorial Road. Along with a monopole, the applicant proposes an equipment shelter at the base of the tower, to be enclosed with chain link fence around a 2,000 sq. ft. lease area. The plan includes landscaping around the outside of the fence and a 30-foot-wide access and utility easement leading from N. Territorial Rd. to the lease site. The site is zoned AR (Agricultural) District.



Under the Michigan Zoning Enabling Act (MZEA), a new wireless communication facility can be reviewed as a conditional land use, subject to the information and requirements of the Zoning Ordinance. The

MZEA also imposes time limits on the local review process. Wireless communication facilities are permitted in the AR District subject to conditional use approval per Section 36-838 of the Township Zoning Ordinance. The required public hearing is scheduled for May 4, 2016.

CONDITIONAL USE COMMENTS

Conditional use approval of wireless communication facilities is subject to both the specific standards listed in Section 36-720 of the Zoning Ordinance, and the general discretionary standards in Section 36-838 applicable to all conditional uses. Beginning with the specific requirements, our comments are provided below:

- A. Application Requirements Specific to Wireless Communications Facilities [Section 36-720 (c)(2)].** Most of the information required by this section has been provided, including contact information for the applicant; map showing location of all existing towers in the Township; scaled site plan with details; legal description of overall parcel and lease area; setbacks from nearest residential structures; separation distance from other towers; landscape plan; fencing; notarized statement regarding collocation; backhaul provider; suitability of existing towers or alternative technology; name of tower manufacturer; radiation output; and maintenance plan. The following items remain to be addressed:
1. The applicant's letter dated 3/16/2016 says that a map showing future tower locations, structures and antenna proposed or anticipated cannot be provided since it is proprietary. The applicant states that in general, new sites may be needed in the northwest, northcentral and southeast parts of the Township. Compliance with this requirement must be addressed to the satisfaction of the Planning Commission.
 2. Sub-section m. requires an environmental impact statement. According to the application, a phase one environmental review has been completed and indicates no perceived impacts; a copy of that report must be submitted for Township review.
 3. A narrative must be provided with the radiation output data that verifies whether the anticipated output is consistent with current FCC emission regulations.
 4. The boundaries of the lease area must be clarified and dimensioned on the site plan. We recommend that the proposed evergreen trees outside the fence be included within the lease area.
- B. Section 36-720 (c)(4). Specific Factors Related to Wireless Communication Facilities.** The Planning Commission may waive or reduce any of the following requirements if it determines that doing so better serves the goals of the section:
1. ***Height of proposed tower.*** Section 36-720 (d)(5) limits heights of towers and structures to no more than 180 feet. At 120 ft. tall with an additional 7 ft. lightning rod, the proposed monopole complies.
 2. ***Proximity of tower to residential structures and residential district boundaries.*** The proposed facility is on an AR Agriculture-zoned parcel - the Township-owned fire station. The AR district also permits single family residential dwellings on lots of 5 acres and larger. The closest residential dwellings are to the south and east, at 536 ft. and 595 ft. away.
 3. ***Nature of uses on adjacent and nearby properties.*** The land to the west and north is wooded and some is farmed. To the east is a single family residence and the fire station building; to the south (across N. Territorial Rd.) is vacant/farmland and a single family dwelling with accessory structures.
 4. ***Surrounding topography.*** The surroundings are relatively flat. McCarty Drain No. 2 is to the north.
 5. ***Surrounding tree coverage and foliage.*** The proposed tower location is well screened by wooded land to the west and north. However, the N. Territorial Rd. frontage of the fire station is lawn and wide open to accommodate public safety vehicles and visibility. The house south of N. Territorial Rd. will have its view of the proposed tower partially buffered by the fire station building; the house to the east will have its view somewhat buffered by a tree/brush line (mostly deciduous). Both dwellings would benefit from additional screening; we recommend evergreen trees be planted

between the tower and the road frontage on both sides of the west fire station driveway and along the tree line to the east as transition strips. Relocation of the tower site west to be behind the woods could also improve its screening.

6. ***Design of the tower, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness.*** The applicant states that the proposed monopole is a less obtrusive design than a lattice tower. The galvanized metal color is intended to “blend in with the sky”. There are no other features incorporated that would reduce visual obtrusiveness.
7. ***Proposed ingress and egress.*** The tower site will be accessed from the fire station driveway with a gravel drive extension at the northwest corner of the existing pavement.
8. ***Availability of suitable existing towers, others structures or alternative technology.*** Propagation maps have been submitted, illustrating existing coverage without the facility and projected coverage that can be obtained with the new tower. Per the applicant, there is a lack of service on the stretch of N. Territorial Road that will be covered by the new facility.

Section 36-720(d)(1) sub-section a., requires that no tower may be located within 2 miles of another commercial communication tower. The tower location map shows that the proposed new tower would be within 1.7 and 1.9 miles of two other commercial towers. Also, in late 2014, AT&T was approved to build a tower at 6741 Sutton Rd. That tower has not been constructed, but it would also be within 2 miles of the site, approximately 0.5 miles away. Per Section 36-839, “*An approved conditional use permit, including all attached conditions, shall run with the land in the approval and shall be binding on all successors and assigns.*” It is our understanding that the AT&T tower’s site plan approval has expired and would have to be obtained again, but arguably, the conditional use approval could still be valid. The status of the Sutton Road tower site should be determined. If the Sutton Rd. site is still approved, it must be included on the map of facilities and considered in the evaluation of site alternatives.

The Planning Commission may waive the Ordinance’s separation distance requirements, if it determines that “*the proposed tower is of exceptional design so as to create a positive architectural and/or environmental feature which is compatible with the character of the surrounding area and community*”. The proposed tower is a standard monopole, and does not appear to be an exceptional positive architectural and/or environmental feature. While it is not uncommon for towers to be located at a public safety facility like a police or fire station, we recommend the Commission review this matter and give the applicant direction regarding alternative designs, such as a “tree” or mounting upon or incorporating into another compatible structure that could be substituted for the standard monopole.

Further, not enough information has been about the two closest tower locations identified by the applicant - How many carriers are already on those towers? Is there a possibility of collocation on those towers? If not, why? Can any adaptation be made to those towers to accommodate the applicant’s antenna without the need for a new facility?

9. ***The design of the proposed structure will accommodate collocation of additional users.*** The new monopole is designed to allow for two additional co-locators in the future, however the applicant must submit an affidavit stating they will permit and not unreasonably obstruct collocation.

- C. Section 36-720 (c)(5) Availability of Existing Towers or Other Structures or Alternate Technology.** This section requires that the applicant provide evidence to demonstrate no existing towers or alternative technology can be utilized to accommodate the proposed antenna. As described in comment B.8 above, additional information is required to justify the need for a new facility. While the applicant states that none of the existing towers will meet Verizon's coverage needs, it is not clear if modifying one or more of the existing towers in the vicinity, or if construction of the Sutton Rd. site (that the applicant did not include in its analysis) would create the applicant's desired coverage.
- D. Section 36-720 (d). General Regulations** for all wireless communication towers:
- 1. Location of towers or structures.**
 - a. *No single tower shall be located within two miles of another commercial communication tower. This requirement may be waived if the Planning Commission determines that the tower is of an exceptional design so as to create a positive architectural and/or environmental feature which is compatible with the character of the surrounding area and community. Additional communications apparatus can, however, be located on an existing tower or other structure capable of accommodating such apparatus.*** See Comment B.8., above.
 - b. *No tower shall be located closer than 1,000 feet from the boundary of any residential district, including any PUD district incorporating residential uses.*** All of the surrounding land is zoned AR Agriculture. The closest residential dwelling is 536 feet from the proposed tower. We estimate that 4 houses are located within 1,000 feet of the proposed tower.
 - c. *A tower shall have a minimum setback from all property boundaries equal to the height of the tower.*** Setbacks are greater in all directions than the required 127 ft.
 - d. *Guys and accessory buildings must satisfy the minimum zoning district regulations.*** No guy wires are proposed since the structure is a monopole. The proposed equipment shelter complies with AR district setback regulations; the height of the equipment shelter and all accessories must be dimensioned.
 - e. *For purposes of measurement, any required tower setback and/or separation distance shall be calculated and applied to facilities located adjacent to municipal and county jurisdictional boundaries.*** Not applicable.
 - 2. Access.**

Unobstructed access constructed in accordance with all provisions of this chapter shall be provided to the tower and apparatus building to ensure service by police, fire, and emergency vehicles. Access to the tower lease area is unobstructed, across the paved fire station drive and a short gravel driveway.
 - 3. Structural design and installation.**
 - a. *The plans for the tower construction shall be certified by a registered structural engineer, and the applicant shall submit verification that the installation is in compliance with all applicable codes. All towers or structures must meet all applicable standards of the Federal Aviation Administration and the Federal Communications Commission.*** The applicant's letter states they will comply with all applicable FAA and FCC standards. A letter from an

engineer at the tower manufacturing company verifies the structural stability of the monopole proposed.

- b. ***All towers or structures must meet or exceed current standards and regulations of the FAA, the FCC, and other agency of the state or federal government with the authority to regulate towers, structures, and antennae. If such standards and regulations are changed, then the owners of the towers, structures, and antennae governed by this section shall bring such towers, structures, and antennae into compliance with such revised standards and regulations within six months of the effective date of such standards and regulations, unless a different compliance schedule is mandated by the controlling state or federal agency. Failure to bring towers, structures, and antennae into compliance with such revised standards and regulations shall constitute grounds for the removal of the tower or antenna at the owner's expense.*** The applicant agrees to comply with all applicable governmental, health and industry safety standards and FAA and FCC regulations and standards.
- c. ***To ensure the structural integrity of towers or structures, the owner of a tower shall ensure that it is maintained in compliance with standards contained in the state construction code and the applicable standards for towers or structures that are published by the Electronic Industries Association, as amended. If, upon inspection, the township concludes that a tower fails to comply with such codes and standards and constitutes a danger to persons or property, then upon notice being provided to the owner of the tower, the owner shall have 30 days to bring such tower into compliance with such standards. Failure to bring such tower into compliance within said 30 days shall constitute grounds for the removal of the tower or antenna at the owner's expense.*** The applicant agrees to comply with all applicable governmental, health and industry safety standards and FAA and FCC rules.
- d. ***Antennae and metal towers or structures shall be grounded for protection against a direct strike by lightning. The electrical wiring and connections on all towers and structures shall comply with all applicable local, state, and federal statutes, regulations, and standards.*** The top of the monopole includes a 7 ft. tall lightning rod. Information regarding grounding and compliance with the above listed regulations must be provided with the site plan.
- e. ***Towers or structures with antennae shall be designed to withstand a uniform wind loading as prescribed in the state construction code.*** The tower engineer's statement addresses this.
- f. ***Towers and structures shall be subject to any state and/or federal regulations concerning nonionizing electromagnetic radiation. If more restrictive state and/or federal regulations are adopted in the future, the operator of the tower shall bring the antennae into conformance with such standards within 60 days of its adoption, or the conditional use permit shall be subject to revocation by the township board. The operator of the tower shall bear the costs for testing and verification of compliance.*** The applicant agrees to comply with all applicable governmental, health and industry safety standards.
- g. ***All signals and remote control conductors of low energy extending substantially horizontally above the ground between a tower or antennae and a structure, or between towers, shall be at least eight feet above the ground at all points, unless buried underground.*** The applicant must provide a written statement that they will comply with the Township's requirements for signal and remote control conductors.

- h. ***The base of the tower shall occupy no more than 500 square feet.*** The base of the tower occupies considerably less than 500 square feet.
- i. ***All communications tower operators shall be required to provide an annual report of total radiation output from all channels and all antennae on the tower, including all co-locators, from an independent contractor as recommended by the township engineer or its designee. The report shall contain any and all information deemed necessary by the Planning Commission.*** The applicant must provide a written statement that they will provide any information required by the Township Engineer in this regard.
- 4. **Lighting.** ***Towers or structures shall not be artificially illuminated.*** The tower is not required to be lit since it is less than 200 feet in height.
- 5. **Height.** ***Towers and structures shall not exceed 180 feet in height.*** The proposed tower complies.
- 6. **Design.**

 - a. ***Except as otherwise provided herein, all towers shall be of monopole design and shall be constructed of, or treated with, corrosive resistant material.*** The tower is proposed as a galvanized steel monopole. Based upon the separation distance requirement, a stealth/alternate design is recommended. See comment B.8, above.
 - b. ***Advertising, signs, and identification of any kind intended to be visible from the ground or other structures shall be prohibited, except as required for emergency purposes.*** No signs are proposed other than required emergency contact information.
 - c. ***The antennae shall be painted to match the exterior treatment of the tower. The paint scheme of the tower and antennae shall be designed to minimize off-site visibility of the antennae and tower.*** The applicant must confirm compliance and note it on the plan.
 - d. ***The design of the buildings and related structures shall, to the maximum extent possible, use materials, textures, screening, and landscaping that will blend them into the natural setting and surrounding buildings.*** The applicant states that the galvanized steel tower will blend in with the sky. Details of the equipment cabinet and associated accessory structures must be provided.
 - e. ***If an antenna is installed on a structure other than a tower (such as a clock tower, bell steeple, or light pole), the antenna and supporting electrical and mechanical equipment must be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible.*** Not applicable.
- 7. **Fencing and Landscaping.** ***The tower and appurtenant apparatus building shall be secured by fencing a minimum of six feet in height. The fencing and apparatus building shall be screened with a landscape strip at least 20 feet wide along each side of such fencing and/or building. Specifications for spacing and plant materials shall be as set forth in section 36-706. The landscape strip shall be maintained in good condition at all times so as to continue its effectiveness. Existing mature on-site vegetation and natural land forms shall be preserved to the maximum extent feasible. In some cases, such as towers or structures sited on large, wooded***

lots, natural growth around the property perimeter may provide sufficient buffer, in which case the planning commission may waive the landscaping requirements of this subsection. The site plan shows 6 ft. chain link fence with 3 strands of barbed wire around the equipment area. Barbed wire is permitted only around farmland. Although the site is in the AR district, a wireless communication facility does not constitute a “farmland” use. The barbed wire must be removed.

A landscape buffer of 6 ft. tall Colorado spruce planted 20 feet on center is proposed outside the fencing. Installation of the proposed monopole will not cause the removal of any existing mature vegetation. A landscape maintenance plan must be added to the site plan and note that “dead or diseased plants will be replaced within 6 months or in the next appropriate planting season, whichever comes first.”

8. **Employees. No employees shall be located on the site on a permanent basis to service or maintain the antennae. Occasional or temporary repair and service activities are excluded from this restriction.** The facility will be unmanned, with periodic visits by maintenance personnel.
9. **Site plan required. The applicant shall submit a preliminary and final site plan in accordance with article XXVIII of this chapter, and including details of tower lighting required and approved by the Federal Aviation Administration.** The applicant has submitted a preliminary site plan which must be revised as described in this review prior to site plan approval. No light detail is required.
10. **Franchises. Owners and/or operators of towers, structures, or antennae shall certify that all franchises required by law for the construction and/or operation of a wireless communication system have been obtained and shall file a copy of all required franchises with the township prior to final site plan approval.** The applicant must provide a written statement that they will comply with any franchising requirements.
11. **Engineering certification. Any information of an engineering nature that the applicant submits, whether civil, mechanical, or structural, shall be certified by a licensed professional engineer.** The 2-sheet plan set is signed and stamped by a licensed engineer.
12. **Non-essential services. Towers, structures, and antennae shall be regulated and permitted pursuant to this section and shall not be regulated or permitted as essential services, public utilities, or private utilities.** The application complies.
13. **Cessation of operation. The township shall condition approval of any new tower subject to the removal of said tower, including all structural components of the tower above and below ground, within 180 days of cessation of operation. The township reserves the right to request evidence of ongoing operation at any time after construction of an approved tower. Any antenna or tower, whether approved under this section or existing at the time of adoption of the ordinance from which this chapter is derived, that is not operated for a continuous period of 180 days shall be deemed abandoned. Failure to remove an abandoned antenna or tower within 60 days of receipt of a notice from the township requesting such removal shall be grounds for the township to remove the tower or the antenna at the tower and/or property owner's expense. If there are two or more users of a single tower, this provision shall not take effect until all users cease using the tower.** Written agreement to comply with removal requirements must be submitted to the Township.

14. **Division of property prohibited.** *The division of property for the purpose of locating a facility is prohibited unless all requirements of the township ordinances are met.* The site is Township-owned and no division is proposed.
 15. **Facility not to be used for advertising.** *The facility shall not be used for advertising purposes and shall contain no signs or lighting except to identify the provider and emergency telephone numbers and as may be required by the FAA.* No advertising is proposed.
 16. **Security.** *In order to ensure removal of the wireless communication structure, in the event of abandonment or cessation of operation, the planning commission may require that security be posted at the time a building permit is obtained for uses as specified in the conditional use permit in an amount sufficient to guarantee that the applicant shall perform the terms and conditions of the conditional use permit.* The applicant must provide the necessary financial guarantee.
- E. **Section 36-838. General Conditional Use Approval Requirements.** In addition to complying with the specific requirements for wireless facilities enumerated above, for conditional use approval to be granted, the Planning Commission and Township Board must find that the proposed use satisfies the following general criteria:
1. ***Will be harmonious with and in accordance with the general objectives, intent and purpose of this article.*** The proposed tower is located in an agriculturally zoned and master planned district and is not close to any concentration of uses. Per the applicant, the proposed tower is similar in appearance or perception to other large structures like wind turbines and high voltage transmission lines that are commonly found in agricultural areas. A properly designed tower that provides for public safety communication might be found harmonious. However, the standards and objectives of the Zoning Ordinance that are designed to avoid a concentration of towers (when collocation can be achieved) and thereby minimize the visual impact and clutter of these facilities, have not been met. Revisions to the facility design, acceptable confirmation that the applicant can't collocate on an existing tower(s) or use other means to provide service, and other options that are consistent with the intent and purposes of the Ordinance must be addressed to the Commission's satisfaction.
 2. ***Will be designed, constructed, operated, maintained and managed so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity.*** The general vicinity is master planned AG, Agricultural for farming and single family residences on lots 5 acres and larger. The tower and associated ground-mounted equipment will be within a fenced area and accessed from the fire station's paved driveway. The fence and much of the equipment inside the enclosure will be screened with evergreen trees, and the land to the north and west is wooded, reducing the visual impact of the facility. The primary impact to the surroundings will be the view of the tall structure from road and the south and east; installation of additional landscape screening, and/or relocation of the tower to be better screened by existing trees is recommended, as discussed in this review.

The facility will be unmanned and will be visited by maintenance personnel only, 2 to 4 times per month. The short drive and T-turn area inside the fence are noted as gravel surface; given the infrequent traffic to the enclosure, we believe the Commission could find this surface sufficient. A maintenance statement on the site plan assures that site problems will be corrected in accordance with Township requirements and a letter addresses weed control, and removal of snow and debris.

As a condition of site plan approval, a landscape maintenance plan with replacement guarantee will be required.

- 3. Will be compatible with the natural environment and existing and future uses in the vicinity.** The north and west sides of the tower's lease area are generally screened from view off-site by existing trees and brush, but the installation will be very noticeable from N. Territorial Rd. In order to improve its compatibility with the vicinity, we recommend that (subject to Township Board approval) clusters of large evergreen trees and/or other dense vegetation should be planted between the tower and N. Territorial Rd. and as a transition strip on the east side of the fire station lot, at or near the lot line. Relocation of the facility to the west, so that the wooded area is to its south may also improve the tower's compatibility with existing and future uses.

The fence around the lease area will be screened with evergreen trees planted 20 feet on center. The fire station is a necessary public safety facility; the surroundings are generally intended to be very low density residential and agricultural uses. The environmental impact statement must be submitted to confirm the lack of negative environmental impacts.

- 4. Will be compatible with the Township land use development plan.** The Township Master Plan designates the site for low density single family development, farms and farm structures, scenic corridors, landscape features such as fields and similar. The Plan does not anticipate a concentration of population here and the Zoning Ordinance mirrors the Master Plan by requiring, under ordinary conditions, tower separations of 2 miles or more. However, the site is near a minor arterial road carrying higher volumes of traffic through the Township and is part of the existing and planned Township fire station where communication facilities could be found compatible.

The proposed tower location, less than 2 miles from 2 existing towers and approximately 0.5 miles from a potential tower site, may not be compatible with the Master Plan's vision. This standard can be met if the tower is redesigned to be a positive feature that blends in with the surrounding rural residential environment and natural features. Further, sufficient evidence has not been submitted that would allow the Commission to determine that collocation and other more compatible alternatives are not feasible.

- 5. Will be or can be served adequately by essential public facilities and services.** Access is to N. Territorial Road, a paved minor arterial road, via the fire station's existing paved driveway and a gravel drive. The only utilities required are electricity and fiber optic service, both of which are available. Fire protection is on-site.
- 6. Will not be hazardous or disturbing to existing or future neighboring uses.** The proposed tower is a monopole which is less intrusive than a "lattice" tower design. Since the tower is less than 200 feet in height, the FCC does not require lights, and the Zoning Ordinance prohibits other tower illumination. The tower and equipment cabinet generate no noise, although in the event of a power outage, the generator will run and create noise. Noise mitigation must be documented so that the sound will not be in excess of that typical for residential areas. Per the plans, the 120 ft. monopole has a 127 ft. fall zone, well clear of any other structures, including the fire station which is the closest building. The applicant must provide evidence that the radio and radiation emissions will be compliant with FCC standards. In the event all other requirements are satisfied, we do not anticipate the use being hazardous or disturbing to the existing or future neighboring uses.

7. Will not create excessive additional requirements at public cost for public facilities and services.

No water or sanitary sewer connections are needed, and as noted above, power and fiber optic service are available. No additional infrastructure or public services are required. Per the applicant, there will be no public funds required for this project.

RECOMMENDATION

Based upon the information submitted, we find that the application for Verizon Wireless does not yet comply with several of the Zoning Ordinance requirements for conditional use approval. The deficiencies noted in our comments above, including some site design details, documentation regarding compliance with governmental regulations, the issue regarding inadequate separation distance of the proposed tower from other existing towers, compatible tower design, and other items must be addressed to the satisfaction of the Planning Commission. The major issues that must be resolved before making a recommendation, are presentation of sufficient evidence by the applicant that the 2 - 3 other towers/sites will not work, and proposing an "exceptional architectural and/or environmental design" that would justify the Commission allowing this new tower to be constructed less than 2 miles from those other towers.

Prior to the Planning Commission acting on the application, we recommend the following items and information be addressed with a revised and dated site plan:

Conditional Use:

1. If the Commission determines the applicant's general statement that future facilities will be needed in the northwest, northcentral and southeast parts of the Township is not sufficient, a map shall be provided;
2. Submit the environmental impact statement;
3. Explain radiation output data with documentation demonstrating compliance with FCC rules;
4. Clarify the boundaries of the lease area on the site plan, and include the evergreen trees;
5. Improve screening/buffering of the view of the tower from off-site by planting additional trees between the tower and the road frontage and along the tree line to the east, by relocating the tower to be better screened by existing trees, and/or by other means acceptable to the Planning Commission.
6. Confirm that the approval previously granted for monopole at 6741 Sutton Road has expired, or include that approved tower location as part of this application;
7. Submit additional written evidence regarding the other towers within 2 miles pertaining to their height, number of carriers/antenna in place, etc. to confirm whether or not collocation opportunity(s) that would accommodate the proposed antenna are available on any of them (including Sutton Rd. site if applicable), per Section 36-720 (c)(5);
8. Satisfaction of the requirement for the tower to be designed as a positive, exceptional architectural and/or environmental feature;
9. Affidavit agreeing to permit and not unreasonably obstruct collocation on the tower; and
10. Site plan approval.

Site Plan:

1. Provide details of, and dimension the height of the equipment shelter and all accessories;
2. Comply with the Township's requirements for grounding, wiring and signal and remote control conductors.
3. Agreement to provide annual report of total radiation output with information as determined by the Township engineer;
4. The antenna shall be painted or otherwise treated to match the tower and this noted on the plan;

5. Provide detailed landscape maintenance plan including replacement guarantee for landscaping;
6. Remove barbed wire from fence;
7. Replace the gravel surface with pavement unless the Commission determines that based on the infrequent traffic to the enclosure and nature of the use that gravel is acceptable;
8. Generator noise controls specified so as to be compatible with the vicinity;
9. Utilities and infrastructure to be reviewed during site plan review; and
10. Provide the Township with necessary assurances, agreements, documents and financial guarantees (as noted in Section D above).

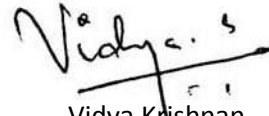
Under the MZEA's "shot clock", after an initial 14-day period, the Township has 90 days to take action on a new tower. In this case, if the Township does not take action by June 29th, the application may be considered approved. Therefore, if the above issues cannot be satisfactorily addressed by the Commission's May 18th meeting, the Planning Commission may need to recommend denial to the Township Board.

Respectfully submitted,

McKENNA ASSOCIATES



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