

ALMONT TOWNSHIP PLANNING COMMISSION  
REGULAR MEETING

April 14, 2021

The regular meeting of the Almont Township Planning Commission called to order at 7:04 P.M. by Chairman Francis, at the Almont Township/Village Hall, 819 N. Main Street, Almont, Michigan 48003. Recited was the Pledge of Allegiance. Roll call taken.

**MEMBERS PRESENT:** Andrea Bara, Brad Bletch, Steve Francis, James Gostomski, Steve Hoffa, Kimberly Streeter, and Bryan Zender. Planner Corey Christensen from ROWE Services (arrived at 7:15 p.m.) and Cory Mabery PE from Davis Land Surveying & Engineering were also present.

**MEMBERS ABSENT:** 0

**PRESENT:** 16 guests

**MINUTES: MOVED BY ZENDER AND SUPPORTED BY HOFFA TO RECEIVE THE MINUTES FROM MARCH 10, 2021 AS PRESENTED. MOTION CARRIED.**

**CORRESPONDENCE:** Received.

**PUBLIC COMMENTS:** NA

**LATE AGENDA ITEMS:** Proposed PLANNING & ZONING FEE SCHEDULE REVIEW. Consensus agreed to place this under New Business as item number two.

**INTRODUCTION:** NA

**PUBLIC HEARINGS: #1 -TEXT AMENDMENT TO ZONING ORDINANCE 39.20, ARTICLE 2, SECTION 2.21.D1(a) – TYPE 3 HOME OCCUPATIONS.**

Due to the Planner' late arrival, it was decided to reschedule this item after the scheduled DTE hearing.

**#2. SLU 21-02 - DTE – Proposed new Substation (Midas)**

Mr. Chris Becker who is the Engineer in responsible charge of the design for the proposed new substation (Midas) went through his report noting that the proposed 50 MVA four circuit substation would be located at 5355 Kidder Road (44-001-027-021-53). The zoning is agricultural/residential and consists of 22 acres. The new substation would be fed by two 120 kV transmission lines on a single structure that will run south along Kidder Road and turn west at the property for DTE's substation. The current substation known as the Almont Substation and located on the north west corner of East St. Clair and Kidder Road needs to be replaced as the community has grown in size and electrical use. When the new substation is fully functional, the Almont Substation will be dismantled.

#2. DTE – Proposed new Substation (Midas) continued:

The Midas Substation would have 2 transformers for 4 circuits. It will be automated which reduces the number of DTE employees having to daily maintain the equipment. The substation operates 24/7, but a single DTE or ITC operator will visit the site as needed, and at least once a month for substation inspection by each company. There will be routine maintenance performed along with repairing of equipment when needed.

Mr. Becker noted that after hearing the concerns expressed by the neighboring properties at the Zoning Board of Appeals hearing, especially those located in the Drakeshire Subdivision, extra care and thought was put into the redesign of the site to minimize any potential problems. The elevation of the site will be lowered so that it less visible and more harmonious with the environment. The property will also be planted with native permanent grasses and sedge species (plants found in water) and other native forb species (flowering plants) which will stabilize the soil and provide food and cover for native fauna (animals). Basic prairie grasses and wildflower mix will be used to add to the height and beauty of the open areas.

Chairman Francis opened the hearing for public comments at 7:14 p.m.

Mr. Jerry Olszewski, Treasurer for the Drakeshire HOA, asked how the Midas Substation will affect the health and welfare of Drakeshire's residents, especially with the magnetic currents, etc. ITC explained that the electric and magnetic fields (EMFs) are invisible areas of energy that are associated with the use of electric power and various forms of natural and manmade light. EMFs are grouped into 2 categories: Non-ionizing: low -level radiation, which are generally harmless to humans; and Ionizing, which has the potential of cellular and DNA damage. The magnetic fields found at the substations are typically below the EMF guidelines or approx. 80-90% lower than the acceptable guidelines.

Questions were asked as to how the location of the Midas Substation will affect the value of the homes in the surrounding area, especially those in the Drakeshire subdivision. ITC and DTE noted that their studies show that there is little impact, and that values always fluctuate depending on the market and the inventory of houses available for sale. ITC also noted that there has not been any scientific proof that electrical current causes cancer. Anthony, who lives in Drakeshire asked what the current EMFs are and what they will be when the Midas Substation is completed. Mr. Olszewski stated that he will act as the go between Drakeshire subdivision and DTE, and asked that all information be sent to him via email. His email address and contact information was provided to the Zoning Administrator.

Commissioner Gostomski arrived at 7:25 p.m.

Question was asked on how soon would DTE begin construction and how long would it take to complete it. Mr. Becker noted that it could take anywhere from 9 to 12 months.

#2. DTE – Proposed new Substation (Midas) continued:

Mr. Corey Christensen, from ROWE Professional Services, read from Planner Habben's review. The Planner noted that three variances were granted by the ZBA on January 27, 2021. The variance granted were from Sec 2.11 – Fences (front yard fences are to be decorative and a maximum of 42 inches in height). DTE is allowed to erect a fence that is eight feet in height and for security reasons will include six strands of barbed wire on "V" arms. The second variance granted was from Section 6.2 – General Parking. DTE was granted a variance and will not have to pave the drive or any parking areas with concrete or plant mixed bituminous materials. The third variance granted was from Sec 8.7 – Table of Use Requirements – building height. DTE will be allowed to erect seventy foot light masts. Planner Habben also noted the following as potential compliance issues: Section 2.5 – Building Grades, Section 6.2 – general Parking Requirements, Section 6.5 – Off-street Loading & Unloading, Section 7.6.H – open storage, and section 8.7 – Table of Use Requirements – Public Utility Building.

Engineer Mabery reviewed his report which echoed some of the Planner's remarks, while adding more of his own. The front yard setback was shown incorrectly. The setback is measured from the road right-of-way. Light fixtures must be shielded and have a downward projection. The applicant shall contact the Lapeer County Road Commission, if necessary, to obtain a permit for a deceleration or acceleration lane. The plans must include a designated fire lane and loading/unloading area. A traffic and development impact statement will be required unless waived by the Planning Commission. The plans need to show the parking areas. The landscaping plans needs to be revised to show that the Red Cedars are planted not less than 15 feet apart. The plans should also show that the "Natural Wetland Expansion Line" will not be disturbed and remain in its natural state. Engineering comments noted nine items that need to be shown on revised plans. All items are minor in nature and can be addressed by the applicant. Mr. Becker noted that he has addressed those items on a separate document which the Planning Commission has and will revise the plans to address all comments.

Chairman Francis asked there were any new concerns. Hearing none, Chairman Francis asked that records reflect that the DTE hearing was closed to further public comments at 8:12 p.m. It was noted that all legal notifications were published and mailed to homeowners within the required distance.

Discussion was held by Commissioners. Drainage, the number of homes the new substation will be able to handle, and how many communities will be using the new substation, and landscaping were discussed.

Corey Christensen read the special land use requirements. Chairman Francis called for a break at 8:28 p.m. thereby giving the Commissioners time to finalize their motions. Meeting was call back into session at 8:35 p.m.

#2. DTE – Proposed new Substation (Midas) continued:

**MOVED BY STREETER AND SUPPORTED BY BARA TO APPROVED THE SPECIAL LAND USE FOR 5355 KIDDER ROAD FOR DTE ENERGY BASED ON THE FOLLOWING STANDARDS:**

- A. THE CHARACTERISTICS OF THE PROPOSED SPECIAL LAND USE SUCH AS LOCATION, SIZE, LAYOUT, PERIODS OF OPERATION, AND CHARACTER WILL NOT BE UNREASONABLY DETRIMENTAL TO THE SURROUNDING NEIGHBORHOOD OR CREATE UNACCEPTABLE OFF-SITE IMPACTS DUE TO TRAFFIC, DUST NOISE, FUMES, VIBRATION, SMOKE OR LIGHTS.**
- B. THE CHARACTERISTICS OF THE PROPOSED SPECIAL LAND USE SUCH AS LOCATION, SIZE, LAYOUT, PERIODS OF OPERATION, AND CHARACTER WILL NOT UNREASONABLY INTERFERE WITH OR DISCOURAGE THE APPROPRIATE DEVELOPMENT AND USE OF ADJACENT LAND AND BUILDINGS OR UNREASONABLY AFFECT THEIR VALUE.**
- C. THE PROPOSED USE IS SO DESIGNED, LOCATED, PLANNED, AND TO BE OPERATED THAT THE PUBLIC HEALTH, SAFETY, AND WELFARE WILL BE PROTECTED.**
- D. THE PROPOSED USE SHALL BE IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THE ZONING ORDINANCE AND TOWNSHIP MASTER PLAN.**

**ROLL CALL VOTE: STREETER – YES, BARA – YES, BLECH – YES, GOSTOMSKI – YES, ZENDER – YES, HOFFA – YES, FRANCIS – YES. MOTION CARRIED.**

**MOVED BY ZENDER AND SUPPORTED BY HOFFA TO APPROVED SITE PLAN FOR 5355 KIDDER FOR THE DTE ENERGY PROPOSED NEW SUBSTATION (MIDAS) WITH THE FOLLOWING CONDITIONS:**

- 1. TO ADDRESS ALL ITEMS FROM DAVIS LAND SURVEYING REPORT (except items 5,6,&7) AND THE ITEMS ON THE LIST PROVIDED BY ROWE.**
- 2. NO OVERNIGHT OR LONG TERM PARKING OF VEHICLES THAT ARE NOT IN USE BE ALLOWED AT THIS LOCATION.**
- 3. CONTINGENT UPON THE STORM WATER DETENTION SYSTEM BEING CLEARLY LABELED AS TO KEEP LARGE TRUCKS OR EQUIPMENT OFF, AND TO MARKED “WILDLIFE PRESERVE AREA” AND TO NOT ALLOW HUNTING ON THE PROPERTY.**
- 4. CONTINGENT UPON COMPLETION OF ALL COMMENTS AS NOTED BY THE ENGINEER AND PLANNER INCLUDING PROVIDING AN EMF REPORT.**

**ROLL CALL VOTE: ZENDER – YES, HOFFA – YES, STREETER – YES, GOSTOMSKI -YES, BLECH – YES, BARA – YES, FRANCIS – YES. MOTION CARRIED.**

**#1 -TEXT AMENDMENT TO ZONING ORDINANCE 39.20, ARTICLE 2, SECTION 2.21.D1(a) – TYPE 3 HOME OCCUPATIONS.**

Chairman Francis opened the Public Hearing at 8:50 p.m. It was noted that the Public Hearing notice was published as required by law.

As the text amendments were prepared by the Township Attorney, there were no comments from the Planner. After some debate, it was suggested that the registration fee be set at \$750.00 for the first year with a \$250.00 yearly renewal fee.

Chairman Francis closed the Public hearing at 9:15 p.m. when no further comments were offered.

The following is to be add to the Ordinance: 4. A \$750.00 application fee for the first year is to be paid at the time of registration. A \$250.00 renewal fee is due yearly. Nonpayment of the fee will result in the caregiver's Township registration being revoked and the caregiver being in violation of the Ordinance. These fees will go into the Township General Fund.

**MOVED BY STREETER AND SUPPORTED BY GOSTOMSKI TO RECOMMEND APPROVAL OF THE PROPOSED TEXT AMENDMENT TO ARTICLE 2, SECTION 2.21.D1(a) AS AMENDED AND THAT THE PROPOSED CHANGES TO THE ORDINANCE BE PRESENTED TO THE TOWNSHIP BOARD FOR APPROVAL.**

**ROLL CALL VOTE: STREETER – YES, GOSTOMSKI – YES, BLETCH – YES, HOFFA – YES, BARA – YES, ZENDER – NO, FRANCIS – YES. MOTION CARRIED.**

**NEW BUSINESS:** Sign Application 21-03 – Lumberjack Shack – new pole sign

The applicant did not appear for the meeting. Discussion was held on postponing the issue, the current site plan, the Township Sign Ordinance, and refacing of signs vs. new signs. The Planning Commission was informed that the Electrical Inspector had posted a red violation tag on the sign previously. No further follow up was noted as to the correction of the violation.

**MOVED BY ZENDER AND SUPPORTED BY BARA TO DENY SIGN APPLICATION 21-03 AS PRESENTED.**

**ROLL CALL VOTE: ZENDER – YES, BARA – YES, STREETER – YES, GOSTOMSKI – YES, BLETCH -YES, HOFFA – NO, FRANCIS – NO. MOTION CARRIED.**

**#2. Fee Schedule.**

Streeter noted that the Township Board discussed reviewing/updating the Township's Planning and Zoning Fee Schedule. The Planning Commissioners were asked if they would contact other communities and see if they could get a copy of that communities' Fee Schedule.

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**OLD BUSINESS:** Engineer Mabery noted that he received the revised as-builts from Southern Truck Equipment. Mr. Mabery was asked to review the plans and make sure that all items are accurate.

**REPORTS:**

Planner – NA

Engineer – NA

Zoning Board of Appeals – meeting scheduled for May 5, 2021 at 7PM.

Zoning & Building – a couple of new applications may be coming in soon.

Planning Commission Agenda: TBD

**ADJOURNMENT: MOVED BY BARA, SUPPORTED BY STREETER TO ADJOURN AT 9:39 P.M. MOTION CARRIED.**

Respectfully,

*Ida L. Lloyd*

Ida L. Lloyd, Recording Secretary