

Springvale Township Planning Committee
Regular Meeting Minutes for Monday, September 22, 2025

Draft

Members present: William Shorter, Joel Kato, Nancy Brady, Becky Fettig

Members absent: Tim Bigelow

1. Call to order: Chairman William Shorter brought the meeting to order at 7:00 pm.
2. Minutes: Becky Fettig made a motion to accept the minutes from June 23, 2025. Joel Kato seconded this motion. The minutes were approved by a vote of 4 – 0.
3. Public Comment: Chairman William Shorter clarified to those attending tonight's meeting that each would be allowed 2 minutes of public comment. Once all those interested in voicing an opinion have had an opportunity to do so, additional comments can be made by earlier contributors. He also explained that this Board serves as an advisory Board to Emmet County Planning & Zoning. We examine the information provided for a Case, hear public comment on the case, discuss the zoning evaluation line by line, and then either pass, postpone, or deny the proposal. This recommendation is then presented to Emmet County Planning & Zoning Board for their final decision on the case. Their next meeting will be held on October 9, 2025, at 7:00 pm, at the Emmet County Building.
4. Reports: Nothing to report.
5. Old Business: none.
6. New Business:

Case #PSUP25-005: A request by Haley Law Firm, PLC (David Schott) for AT&T Mobility for a Special Use Permit on property located at the southeast corner of Twildo Road and Wildwood Road in Section 12 of Springvale Township. The property is zoned FF-2 Farm and Forest and is tax parcel number 24-14-20-12-300-010 and may include 300-016. The proposal is to construct a 260 ft. self-supporting tower with a 5 ft. lightning rod and necessary equipment. The review will be conducted per Articles 8, 20, 21, 22, 26, and Section 26.01 of the Emmet County Zoning Ordinance.

Ken Kalousek presented the facts of this case on behalf of David Schott for AT&T. He indicated that AT&T intends to construct a lattice, or 3-legged, tower on this site to address service shortcomings in the area. According to Ken, AT&T would also operate in cooperation with the federal government, a separate network known as FirstNet, a public safety network specifically created for and with first responders. The network features additional cybersecurity measures, and first responders are given priority in the event of an emergency. There would also be a dedicated generator for the AT&T service and the FirstNet service.

Chairman Shorter opened the floor for comments by the Board. Joel Kato expressed concerns over language discrepancies in the various documents submitted regarding the height of the lightning rod. Per Ken Kalousek, the correct height is 5 feet. Joel also expressed concerns over terminology in the site documents, which reference "assumed property lines" and "apparent property lines." In the project summary 26.01.2, there is a reference to fall zone letters and setbacks relative to the tower height, and he has concerns over the looseness of the terminology. Ken clarified that

the survey was done by a licensed surveyor, so the report should be accurate. The fall zones are based on Emmet County's zoning code, which allows for a reduction in some of those setbacks, up to 50%, based on a letter from an engineer regarding fall zones. Ken stated that these towers are designed, in case of failure, to collapse on themselves, not to tumble over. Joel asked if that letter from the engineer had been submitted at this time; per Ken, it has not.

Becky Fettig asked if there is any radiation coming off of these. Per Ken, there is federal law that regulates radiation from cell towers. It is done by the Federal Communications Commission, which has set parameters to deal with radiation. FCC has addressed health defect concerns, and there is both FCC and Federal case law that specifically state that it cannot be part of the consideration for zoning. Ken stated these are the same radio waves used by televisions and radios for years, only repurposed. The radiation produced by a cell tower is non-ionizing.

Chairman Shorter opened the floor to public comment.

Various members of the public raised concerns over potential health risks, the negative effects on property values, fall hazards, storm damage risks, the creation of unnecessary environmental impacts, electromagnetic pollution that is harmful to wildlife, the general habitat disruption, the scarring of rural landscapes, and the violation of the intent of rural zoning. There were questions regarding location choice (Ken responded that alternate sites were considered, but this one best fills a coverage gap for AT&T customers). The question was asked how many AT&T customers were present at the meeting – only two out of a packed room. There were concerns expressed over the lack of detail in the letters provided and the short notice given by those letters. Tammy Doernenburg, Emmet County Planning & Zoning Director, explained that the state requires notice to those within 300 ft of the proposed project; deviating from that would be required for all projects equally. Emmet County requires a 15-day notice prior to the upcoming meeting (in this case, October 9, 2025). The letter provided contact information for anyone needing additional information, and emails, letters, phone calls, or visits to the office are all welcome. By state law, there is a strict time limit on tower reviews. A decision can be postponed for one meeting, but must be resolved at the next meeting; otherwise, the matter is considered approved. Therefore, all input is needed at the upcoming meeting.

Following public comment, Chairman Shorter commenced the review of the zoning evaluation document with the Board members. Under Section 21.02 Special Land Use Review Standards, it was noted that a traffic impact study was not requested (minimal impact anticipated, outside of the construction period), a Road Commission Review has not yet been completed, an engineering report is not proposed to be submitted unless the use is approved (this report would address the setback standards), setback standards cannot be met - only a minimum portion of the property is being used, but even if more land was utilized, it would still not be in compliance. The County Master Plan does support broadband for all; natural resource preservation is also an important consideration. Under Section 20.05 Site Plan Review Standards, it was noted that both roads are deeded county right-of-ways, resulting in a 33-foot setback from the centerline of the road. This impacts the fall line as the tower would reach the middle of either of these roads in the event of a catastrophic failure. A Fire Department review has not yet been submitted. The issue regarding buffers is not adequately addressed by merely noting the existing trees, without any buffering in the leased area. Per AT&T, all surfaces are permeable, so drainage is not a concern. The leased area does not show screening of equipment. Under Section 26.01 Wireless Communications Equipment (WCE) and Wireless Communications Support Structures (WSS) setbacks, lighting, and screening are all unaddressed. The standards concerning the removal of

the facility and restoration of the site post-abandonment of the facility are not met, as the agreement is with the property owner and is not provided with the application.

Ken Kalousek was given time to respond to the concerns expressed. He stated that Emmet County allows setback reductions up to 50%. A reduction in the tower height would only create a need for additional towers. Rain runoff is addressed by the fact that the ground is permeable in the desired location. There will be limited traffic to the tower after it's in place. Screening and buffering are addressed by the naturalness of the area. All cellular carriers do follow all the guidelines of the Migratory Bird Act. AT&T would be willing to provide a removal agreement to the county. Underground power is usually brought in for these towers.

Motion made by Joel Kato: "I'll make a motion to deny Application #PSUP25 - 005 for a Special Use Permit to construct a 265ft AT&T cell tower located at the southeast corner of Twildo Road and Wildwood Road in Section 12 of Springvale Township. Denial is based on the following standards not being completely satisfied: 21.02C, 21.02D, 21.02E, 21.02G, 21.02H, 25.05A, 25.05C, 25.05F, 25.05G, 26.01B, 26.01.2A, 26.01.2B, 26.01.3B and 26.01.3C." Motion seconded by Becky Fettig. A roll call was taken. The motion was passed 4-0.

7. Public Comment: The next meeting is scheduled for October 27, 2025, at 7pm.
8. The meeting was adjourned at 8:34 pm.

Authorized Signature

** SPC minutes are "not approved" until accepted at a subsequent SPC meeting, and/or signed by the Chairman, Acting Chairmen, or Secretary.