Notice of Public Hearing<br>Huron County Planning Commission<br>Wednesday, April 3, 2024 at 7:00 p.m.<br>County Building, Room 305<br>250 E. Huron Avenue, Bad Axe, Michigan, 48413 Special Approval Use Permits: SAP 2024-02

Notice is given that the Huron County Planning Commission will hold a public hearing on Wednesday, April 3, 2024, at 7:00 p.m., in Room 305, County Building, 250 E. Huron Avenue, Bad Axe, Michigan 48413. The purpose of this meeting and public hearing is to hear comments about and consider the following request described below:

Special Approval Use Permit, SAP 2024-02: Benjamin Varney, owner of Telecom Towers AL LLC, 4700 Hunt Street, Cass City, Michigan, 48726, is requesting zoning approval to construct a new 300 ft . tall steel guyed telecommunications tower with a 10 ft . lightning rod for telecommunication services. The proposed tower will be located at 3439 Sebewaing Road, Section 18, Sheridan Twp., on a leased area of land measuring 100 ft . $\times 100 \mathrm{ft}$., which is part of a larger agricultural parcel of land owned by Kenneth \& Karen Pichla. The overall parcel consists of approximately 112 acres of Agricultural (AGR) Zoned land, Section 18, Sheridan Township, Parcel I.D. Number 3224-018-00450. Telecom Towers also secured a twenty (20) foot wide easement for ingress/egress and public utilities running south and east of Sebewaing Road to the fenced lease area. Under provisions of the Zoning Ordinance of Huron County, Article XV, Special Approval Use Permits, Section 15.02 Uses Not Otherwise Included Within Specific Use District, Communication Towers/Wireless Communication Facilities are allowed subject to Article XV, Section 15.02(2) Special Approval Use Permit approval procedures.

The application materials and site plan relative to this request are available for public examination during regular office hours at the Huron County Planning, Building \& Zoning Department, Room 102 of the County Building, 250 E. Huron Avenue, Bad Axe, Michigan 48413 or www.co.huron.mi.us. Following the public hearing, the Planning Commission will consider granting a Special Approval Use Permit.

Persons wishing to comment on the proposed special use permit are invited to this meeting. Written comments may be mailed to the Huron County Building \& Zoning Department, 250 E . Huron Avenue, Room 102, Bad Axe, Michigan 48413 or sent by fax to 989-269-3362 or email to smithj@co.huron.mi.us. For further information on this matter, please contact Jeff Smith of the Building \& Zoning Department at 989-269-9269.

This notice is disseminated pursuant to PA 110 of 2006, being the Michigan Zoning Enabling Act, as amended.

Huron County Planning Commission
Bill Renn, Chairman


## COUNTY

SAP 2024-02
Telecom Towers
Proposed 300ft.
Cellular Tower on

## Leased land

Section 18 Sheridan Twp.
Property Identification
No. 3224-018-004-50
Agricultural Zoned Parcel.
320ft. Buffer Map


Map Publication: 03/14/2024 2:02 PM

powered by FetchGIS

Disclaimer: This map does not represent a survey or legal document and is provided on an "as is" basis. Huron County expresses no warranty for the information displayed on this map document.

# HURON COUNTY PLANNING COMMISSION APPLICATION FOR SPECLAL APPROVAL PERMIT 

5600.00 Application Fee Regular Meeting
\$800.00 Application Fee Special Meeting Rev ol :022
Date: $12 / 29 / 2023$ PROJECT NO: SAP $2024-02$
applicant's name: Benjamin Varney - Telecom Towers AL, LLC
4700 Hunt St., Cass City, MI 48726 989-670-2000
ADDRESS:

| street | city | state | zip | telephone |
| :---: | :---: | :---: | :---: | :---: |

PROPERTY OWNER'S NAME AND ADDRESS (if different than above):
Kenneth and Karen Pichla Trusts
${ }_{2308}$ Atwater Rd., Bad Axe, MI 48413 989-315-1262

Sebewaing Rd., Bad Axe, MI 48413
ADDRESS OF PROPERTY REQUESTED FOR SITE PLAN REVIEW:
property identification No:: $3224-018-004-50$
DESCRIPTION OF PROJECT (ATTACH SITE PLAN, Application will not be accepted without site plan):
Erect a 300' Guyed Tower with $10^{\prime}$ lightening Rod for telecommunication service. Designed for colocation of 4 carriers. Entrance will be on Sebewaing Road with a gravel driveway to the compound. Tower and guy wires will be fenced with 6 ' high chain link fence. Compound will accomodate the carriers buildings or cabinets. Leased fenced compound will be 100' X 100'


## PLANNTNG COMMISSION ACTION:

__ APPROVED, AS SUBMITTED;
__APPROVED, WITH THE FOLLOWING MODIFICATIONS: $\qquad$
$\qquad$
__ DENIED, FOR THE FOLLOWING REASON(S): $\qquad$
$\qquad$
$\qquad$

## Proposed 300' Guyed Tower

## Sebewaing Rd, Bad Axe, MI. 48413

Telecom Towers AL, LLC proposes to erect a 300' guyed tower plus 10' lightening rod on Sebewaing Road, just west of M53 - Parcel \#24-18-004-50. Parcel is owned by Kenneth and Karen Pichla Trusts of 2308 Atwater Road, Bad Axe, MI 48413. The tower will be on a 112 acre parcel with a road frontage on Sebewaing road of approx. 1473'

Telecom Towers AL, LLC is a local tower company with their office at 4700 Hunt St., Cass City, Michigan.
The proposed tower is to be erected to enhance the cellular and internet coverage of Thumb Cellular/AVCI. The tower will be designed to accommodate a total of 4 wireless carriers. Thumb Cellar has identified this area as the area they need to be to enhance their coverage area. They have completed propagation studies that show there are no existing towers in the area to give them the coverage to mesh this tower with their existing coverage.

To preserve as much farm land as possible the tower has been designed to be approximately half the distance of the height of the tower off the property lines. Therefore we are requesting a variance of the setback requirement as set forth in the Zoning Ordinance Section 15.02, 2 "with a tower setback from all property lines (and right-of-way lines) a distance equal to the tower and antenna height, unless engineering plans and specifications document an "engineered" fall distance criteria which is less than the tower/antenna height (ZA '98-1;effective.6/10/98)".

This tower will be designed to collapse upon itself and will not be a danger to adjoining properties. An Engineering Letter from the tower manufacturer will be provided to the Building Department to attest to the safety of the proposed tower.

The tower has been registered with the FAA, FCC, Huron County Airport, and MDOT. The FAA Aeronautical Study No. 2023-AGL-23319-OE shows a "Determination of No Hazard to Air Navigation" of this proposed tower. We have received our FAA "Determination of No Hazard to Air Navigation"; FCC Registration; Huron County Airport Zoning Permit; and our MDOT Tall Structure Permit.

I am aware of the Bad Axe Airport requirement that towers cannot exceed 1266'. The proposed tower location elevation is $745^{\prime}$. The proposed tower height with lightening rod is $310^{\prime}$. The $745^{\prime}$ ground elevation and the tower height of 310' combined equals 1055', 211' below the airport max height requirement. Therefore, the Huron County Building and Zoning Department was able to issue the Huron County Airport Permit.

A Geotechnical (Geo) Report (soil boring) has been received and has determined the ground condition of the tower site. The tower location was drilled to a depth of $25^{\prime}$ and the depth of the guy anchors to a depth of $15^{\prime}$. The Geo Report will be given to the tower manufacturer and the tower manufacturer will determine the foundation requirements for the tower and the individual guy wires. The tower manufacturer will provide tower and foundation drawings after a review of the Geo Report. The plans of the tower construction will be certified /sealed by a registered structural engineer from the manufacturer. The tower will be equipped with an anti-climbing device to prevent unauthorized access. Once received, the tower and foundation drawings will be provided to the Building Department.

A NEPA (National Environmental Policy Act) Review has been ordered and will be provided to the Building Department upon completion. The NEPA review is an environmental assessment of the proposed area and reviews historic areas, Indian Religious Sites, Radiofrequency Emissions, Migratory Birds, Bats and many other environmental assessments. This NEPA review is quite extensive and typically takes up to 3 months.

As this property is in the Farmland Development program (formerly PA \#116) a letter will be sent to Jarrod Thelen at the State of Michigan requesting a review of the tower on this property. In my previous contact with Mr. Thelen, he has replied that "Thank for your request for approval for the construction of a cellular phone tower and associated buildings (the "Project") on the property covered by agreement \#XX-XXXXX-1231XX. Under Part 361 of the Natural Resources and Environmental Protection Act, Act 451 of 1994 as amended, more specifically MCL 324.36104 (7)(a) and (c), the Michigan Department of Agriculture and Rural Development may approve utility structures located on enrolled land, via an easement or lease, as long as the facility does not substantially hinder the farming operation and the structure has been approved by the local government body having zoning authority. Having reviewed the site plan, landowner authorization and land use permit, we find that the Project does not substantially hinder the farming operation and is therefore approved by the Department.".

The proposed tower will not substantially hinder the farming operation

I have to have Zoning Approval before I can submit my PA116 request to Mr. Thelen. I will provide the request determination from Mr. Thelen to the Building Department once I have received it from him.

Thank you for your time and consideration.

Telecom Towers AL, LLC
Ben Varney
4700 Hunt St.
Cass City, Michigan 48726
989-670-2000


## 1A CERTIFICATION

```
Telecom Consultants, LLC
6 3 1 1 ~ V i r g i n i a ~ S t r e e t
Cass City, MI 48726
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October 6, 2023

Re: Site Name: "Grassmere"
Located in Sheridan Township
Huron County, Michigan
MCLLC Job No. 23164

I certify that the latitude of $43^{\circ} 43^{\prime} 57.4^{\prime \prime}(43.732611)$ and the longitude of $83^{\circ} 06^{\prime} 47.8^{\prime \prime}(-83.113278)$ are accurate to within $\pm 20$ feet horizontally; and that the tower site elevation of 745.00 feet AMSL is accurate to within $\pm 3$ feet vertically. With a proposed tower height of 300.00 feet AGL and proposed appurtenance height of 10.00 feet, the overall structure height would be 1055.00 feet AMSL. The horizontal datum (coordinates) is in terms of the North American Datum of 1983 (NAD83) and is expressed as degrees, minutes and seconds. The vertical datum (heights) is in terms of the North American Vertical Datum of 1988 (NAVD88) and is determined to the nearest foot.


Patrick L. Hastings
Professional Surveyor No. 37277


## MEMORANDUM OF LEASE AGREEMENT

THIS MEMORANDUM OF LEASE AGREEMENT ("Memorandum") is made as of Augus $\qquad$ , 2023, between Kenneth J. Pichla, Trustee of the Kenneth J. Pichla Inter-Vivos Trust dated February 6, 1995, as amended and restated on November 22, 2011, and Karen M. Pichla, Trustee of the Karen M. Pichla Inter-Vivos Trust dated February 6, 1995, as amended and restated on November 22, 2011, of 2308 Atwater Road, Bad Axe, Michigan 48413, ("Lessor") and Telecom Towers AL, a Michigan Limited Liability Company, doing business in Michigan as Telecom Towers AL, LLC, with its offices located at 4700 Hunt Street, Cass City, Michigan 48726 ("Lessee").

## WITNESSETH THAT:

Lessor, on the terms and conditions set forth in an unrecorded document dated Alughot $\qquad$ , 2023, and entitled "Ground Lease Agreement", which terms and conditions are incorporated herein by reference, has leased to Lessee an exclusive lease to certain real property, together with an easement, rights and appurtenances attached thereto, more particularity described as Exhibit "A" attached to this Memorandum (collectively, the "Property").

The Lease Agreement shall be for an Initial term of five (5) years, beginning on the date of Lessee's commencement of construction of the proposed wireless communications facility ("Initial Term"), unless terminated sooner or extended in accordance with the Lease Agreement. The Lease contains automatic renewal provisions to be extended by Lessee unless Lessor receives written notice from Lessee before expiration of the Lease Term or any Extended Term indicating their intent not to extend the Agreement.

In the event of any inconsistency between the Memorandum and the Lease Agreement, the Lease Agreement shall control.

This Memorandum and the Lease Agreement shall bind and inure to the benefit of the parties and their respective heirs, successors and assigns.

IN WITNESS WHEREOF, the parties have executed or caused their authorized representative for and on its behalf to execute this Agreement as of the date first written above.

LESSOR:

## Kenneth of Pichle

Kenneth J. Pichla, Trustee of the Kenneth J. Pichla Inter-Vivos Trust dated February 6, 1995, as amended and restated on November 22, 2011


Karen M. Pichla, Trustee of the Karen M. Pichla Inter-Vivos Trust dated February 6, 1995, as amended and restated on November 22, 2011

## STATE OF MICHIGAN )

COUNTY OF H WOn )

Sn Sutiturank2023, before me, Denée Schav p, a Notary Public for the State of Michigan, personal appeared Kenneth J. Pichla, Trustee of the Kenneth J. Pichla Inter-Vivos Trust dated February 6, 1995, as amended and restated on November 22, 2011, and Karen M. Pichla, Trustee of the Karen M. Pichla Inter-Vivos Trust dated February 6, 1995, as amended and restated on November 22, 2011, personally known to me or proved to me on the basis of satisfactory evidence to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument the persons, or the entity upon behalf of which the persons acted, executed the Instrument.

WITNESS my hand and official seal.


## LESSEE:

Telecom Towers AL, LLC


STATE OF MICHIGAN
 2023, before me, Denee Schave a Notary Public for the State of Michigan, personal appeared, Benjamin Varney, Member of Telecom Towers AL, LLC, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacities, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the Instrument.

WITNESS my hand and official seal.


Prepared by:
Michael A. Rolando P76035
Attorney at Law
Biddinger, Schrot \& Rolando, PC
4415 S. Seeger Street
Class City, MI 48726
Tee: (989) 872-5601

## EXHIBIT "A"

To
GROUND LEASE AGREEMENT

Lessor leases to Lessee a portion of Lessor's property, that portion being described as a $100^{\prime} \mathrm{X} 100^{\prime}$ parcel located on Sebewaing Road (Lessor's property being shown on the Tax Map of the County of Huron as Tax Parcel Number 24-018-004-50), and being more particularly located on the following described property in Sheridan Township, Huron County, Michigan:

Northeast $1 / 4$ of Northwest $1 / 4$ ALSO South $1 / 2$ of Northwest $1 / 4$, Except West 360 feet thereof. Section 18, Town 15 North, Range 12 East.

DESCRIPTION OF LEASED PREMISES TO BE REPLACED BY SURVEY


IUSR 1826 PAGE 689

Mail Processing Center

Issued Date: 12/18/2023
Benjamin Varney
Telecom Towers AL, LLC
4700 Hunt St.
Cass City, MI 48726

# ** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ** 

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Antenna Tower Grassmere
Location: Bad Axe, MI
Latitude: $\quad$ 43-43-57.40N NAD 83
Longitude: $\quad 83-06-47.80 \mathrm{~W}$
Heights: $\quad 745$ feet site elevation (SE)
310 feet above ground level (AGL)
1055 feet above mean sea level (AMSL)
This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 M, Obstruction Marking and Lighting, a med-dual system-Chapters 4,8(M-Dual),\&15.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Air Missions (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

At least 10 days prior to start of construction (7460-2, Part 1)
_ X _ Within 5 days after the construction reaches its greatest height (7460-2, Part 2)
This determination expires on 06/18/2025 unless:
(a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
(b) extended, revised, or terminated by the issuing office.
(c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission (FCC) because the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (816) 329-2525, or natalie.schmalbeck@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2023-AGL-23319-OE.

Signature Control No: 607061948-607513476
(DNE )
Natalie Schmalbeck
Technician
Attachment(s)
Frequency Data
Map(s)
cc: FCC

Frequency Data for ASN 2023-AGL-23319-OE

| LOW <br> FREQUENCY | HIGH <br> FREQUENCY | FREQUENCY <br> UNIT | ERP <br> ERP | UNIT |
| :---: | :---: | :---: | :---: | :---: |
| 6 |  |  |  |  |
| 6 | 7 | GHz | 55 | dBW |
| 10 | 7 | GHz | 42 | dBW |
| 10 | 11.7 | GHz | 55 | dBW |
| 17.7 | 11.7 | GHz | 42 | dBW |
| 17.7 | 19.7 | GHz | 55 | dBW |
| 21.2 | 19.7 | GHz | 42 | dBW |
| 21.2 | 23.6 | GHz | 55 | dBW |
| 614 | 23.6 | GHz | 42 | dBW |
| 614 | 698 | MHz | 1000 | W |
| 698 | 698 | MHz | 2000 | W |
| 806 | 806 | MHz | 1000 | W |
| 806 | 901 | MHz | 500 | W |
| 824 | 824 | MHz | 500 | W |
| 851 | 849 | MHz | 500 | W |
| 869 | 866 | MHz | 500 | W |
| 896 | 894 | MHz | 500 | W |
| 901 | 901 | MHz | 500 | W |
| 929 | 902 | MHz | 7 | W |
| 930 | 932 | MHz | 3500 | W |
| 931 | 931 | MHz | 3500 | W |
| 932 | 932 | MHz | 3500 | W |
| 935 | 932.5 | MHz | 17 | W |
| 940 | 940 | MHz | 1000 | W |
| 1670 | 941 | MHz | 3500 | W |
| 1710 | 1675 | MHz | 500 | W |
| 1850 | 1755 | MHz | 500 | W |
| 1850 | 1910 | MHz | 1640 | W |
| 1930 | 1990 | MHz | 1640 | W |
| 1990 | 1990 | MHz | 1640 | W |
| 2110 | 2025 | MHz | 500 | W |
| 2305 | 2200 | MHz | 500 | W |
| 2305 | 2360 | MHz | 2000 | W |
| 2345 | 2310 | MHz | 2000 | W |
| 2496 | 2360 | MHz | 2000 | W |
|  | 2690 | MHz | 500 | W |
|  |  |  | W |  |

## Verified Map for ASN 2023-AGL-23319-OE



Page 4 of 4

AERONAUTICS COMMISSION
Dr. Brian R. Smith, Chairperson
Mike Trout, Commission Director
Benjamin Carter, Vice-Chairperson Kelly Burris Rick Fiddler
Russ Kavalhuna
Laura Mester F/LT Greg Setla Brig Gen Bryan Teff Kevin Jacobs

## STATE OF MICHIGAN



Gretchen Whitmer, Governor
Michigan Department of Transportation
Phone: 517-335-9258 Fax: 517-886-0366
Mike Trout

## Tall Structure Permit

February 8, 2024
Michigan's Tall Structure Act (Act 259, P.S. 1959, as amended by Act 28 P.A. 2016), places authority for review of construction proposals which may affect Michigan airspace with the Michigan Aeronautics Commission. The Michigan Aeronautics Commission has delegated its authority for airspace reviews and approvals to the Michigan Department of Transportation's Office of Aeronautics.

The Office of Aeronautics has conducted a review of the following proposal:
FAA Airspace Case Number: 2023-AGL-23319-OE
Structure Type:
Height Above Ground: 310'
Top Elevation: 1055,
Associated Airport: Huron County Memorial
Geographic Coordinates: $\quad 43^{\circ} 43^{\prime} 57.4^{\prime \prime} \mathrm{N} / 83^{\circ} 6^{\prime} 47.8^{\prime \prime} \mathrm{W}$

## Please note that:

1. This permit expires on Saturday, February 8, 2025.
2. Obstruction marking and lighting is required as described by FAA Advisory Circular.
3. Changes to this proposal which increase its top elevation or location will INVALIDATE this PERMIT. Please advise the Office of Aeronautics of any modifications immediately.
4. If a Notice of Actual Construction (Form 7460-2) is sent to the FAA, please send a copy to the Office of Aeronautics.
5. This permit, issued in accordance with the Michigan Tall Structure Act (Act 259 of 1959), concerns the effect of this proposal on air navigation and does not relieve the proponent of any compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Under the authority of the Tall Structures Act, this PERMIT is issued to:
Telecom Towers AL, LLC
Attn: Benjamin Varney
4700 Hunt St.
Cass City, MI 48726
I can be contacted at telephone number 517-242-2494 or email address
MDOT_Tall_Structures@michigan.gov if you have any questions or comments.

## Nilary Noose

Hilary Hoose
Aeronautics Analyst
Michigan Department of Transportation

UNITED STATES OF AMERICA FEDERAL COMMUNICATIONS COMMISSION ANTENNA STRUCTURE REGISTRATION

OWNER: Telecom Towers AL, LLC

FCC Registration Number (FRN): 0005826235

| ATTN: Benjamin Varney Telecom Towers AL, LLC | Antenna Structure Registration Number $1327221$ |
| :---: | :---: |
| 4700 Hunt St Cass City, MI 48726-9000 | $\begin{aligned} & \text { Issue Date } \\ & \text { 02/05/2024 } \end{aligned}$ |
| Location of Antenna Structure <br> East southeast of JCT Sebewaing Rd. and Grassmere Rd. <br> Bad Axe, MI 48413 <br> County: HURON | Ground Elevation (AMSL) <br>  <br> 227.1 meters |
|  | Overall Height Above Ground (AGL) $94.5 \text { meters }$ |
| Latitude Longitude  <br> $43-43-57.4 \mathrm{~N}$ $083-06-47.8 \mathrm{~W}$ NAD83 | Overall Height Above Mean Sea Level (AMSL) <br> 321.6 meters |
| Center of Array Coordinates N/A | Type of Structure GTOWER <br> Guyed Structure Used for Communication Purposes |
| Painting and Lighting Requirements: <br> FAA Chapters 4, 8, 15 <br> Paint and Light in Accordance with FAA Circular Number 70/7460-1M |  |
|  |  |
|  |  |
| Conditions: |  |

This registration is effective upon completion of the described antenna structure and notification to the Commission. YOU MUST NOTIFY THE COMMISSION WITHIN 5 DAYS OF COMPLETION OF CONSTRUCTION OR CANCELLATION OF YOUR PROJECT, please file FCC Form 854. To file electronically, connect to the antenna structure registration system by pointing your web browser to https://www.fcc.gov/antenna-structure-registration. Electronic filing is required. Use purpose code "NT" for notification of completion of construction; use purpose code "CA" to cancel your registration.

The Antenna Structure Registration is not an authorization to construct radio facilities or transmit radio signals. It is necessary that all radio equipment on this structure be covered by a valid FCC license or construction permit.

You must immediately provide a copy of this Registration to all tenant licensees and permittees sited on the structure described on this Registration (although not required, you may want to use Certified Mail to obtain proof of receipt), and display your Registration Number at the site. See reverse for important information about the Commission's Antenna Structure Registration rules.

You must comply with all applicable FCC obstruction marking and lighting requirements, as set forth in Part 17 of the Commission's Rules (47 C.F.R. Part 17). These rules include, but are not limited to:

- Posting the Registration Number: The Antenna Structure Registration Number must be displayed in a conspicuous place so that it is readily visible near the base of the antenna structure. Materials used to display the Registration Number must be weather-resistant and of sufficient size to be easily seen at the base of the antenna structure. Exceptions exist for certain historic structures. See 47 C.F.R. $17.4(\mathrm{~g})$-(h).
- Inspecting lights and equipment: The obstruction lighting must be observed at least every 24 hours in order to detect any outages or malfunctions. Lighting equipment, indicators, and associated devices must be inspected at least once every three months.
- Reporting outages and malfunctions: When any top steady-burning light or a flashing light (in any position) burns out or malfunctions, the outage must be reported to the nearest FAA Flight Service Station, unless corrected within 30 minutes. The FAA must again be notified when the light is restored. The owner must also maintain a log of these outages and malfunctions.
- Maintaining assigned painting: The antenna structure must be repainted as often as necessary to maintain good visibility.
- Complying with environmental rules: If you certified that grant of this registration would not have a significant environmental impact, you must nevertheless maintain all pertinent records and be ready to provide documentation supporting this certification and compliance with the rules, in the event that such information is requested by the Commission pursuant to 47 C.F.R. 1.1307(d).
- Updating information: The owner must notify the FCC of proposed modifications to this structure; of any change in ownership; or, within 30 days of dismantlement of the structure.

Copies of the Code of Federal Regulations (which contain the FCC's antenna structure registration rules, 47 C.F.R Part 17) are available from the Government Printing Office (GPO). To purchase CFR volumes, call (202) 512-1800. For GPO Customer Service, call (202) 512-1803. For additional FCC information, consult the Antenna Homepage on the internet at https://www.fcc.gov/antenna-structure-registration or call (877) 480-3201 (TTY 717-338-2824).

CONSULTING GROUP

# Report on Geotechnical Investigation 

# Grassmere Guyed Tower Sebewaing Road Bad Axe, Michigan 48413 

Latitude $43.732611^{\circ} \mathrm{N}$<br>Longitude $83.113278^{\circ} \mathrm{W}$

Prepared for:

Telecom Towers AL, LLC
4700 Hunt Street
Cass City, Michigan 48726
G2 Project No. 231049
February 4, 2024

CONSULTING
GROUP

February 4, 2024
Mr. Ben Varney
Telecom Towers AL, LLC
4700 Hunt Street
Cass City, Michigan 48726
Re: Report on Geotechnical Investigation
Grassmere Guyed Tower
Sebewaing Road
Bad Axe, Michigan 48413
G2 Project No. 231049
Dear Mr. Varney,
We have completed the geotechnical investigation at the proposed guyed tower in Bad Axe, Michigan. This report presents the results of our observations, analysis, and recommendations for subgrade preparation, foundation and anchor design, and construction considerations for the proposed guyed tower.

As always, we appreciate the opportunity to be of service to Telecom Towers AL, LLC and look forward to discussing the recommendations presented. In the meantime, if you have any questions regarding the report or any other matter pertaining to the project, please call us.

Sincerely,

## G2 Consulting Group, LLC



February 4, 2024
G2 Project No. 231049
Page 1

## EXECUTIVE SUMMARY

We understand the project includes construction of a 300 -foot tall guyed tower. Approximately 8 to 10 inches of silty sand topsoil are present at the soil boring locations. Stiff to very stiff silty clay and sandy clay underlie the topsoil and extend to approximate depths ranging from 3 to 8 feet. Loose to medium compact, and to a lesser extent very loose, sand, silty sand, sandy silt, and gravelly sand are present below the cohesive soils and extend to approximate depths ranging from 14 to 14-1/2 feet at borings B1 and B-3 and to the explored depth of 15 feet at borings B-2 and B-4. Very stiff to hard silty clay underlies the granular soils at borings $\mathrm{B}-1$ and $\mathrm{B}-3$ and extends to the explored depths of 25 feet and 15 feet, respectively. Groundwater was encountered at approximate depths ranging from 6 to 13 feet, corresponding to elevations ranging from 736 to 737 feet. Upon completion of drilling operations, groundwater was typically noted within 1 to $1-1 / 2$ feet of the encountered groundwater elevations.

We recommend a shallow spread footing foundation for support of the proposed tower mast bearing on the medium compact silty sand at a minimum depth of $3-1 / 2$ feet below finished grade for protection against frost action. The foundation can be designed for a net allowable soil bearing pressure of 2,500 pounds per square foot (psf) bearing on the medium compact silty sand underlain by loose sand. Our net allowable soil bearing pressure is based on a factor of safety of 3. Based on the estimated tower loading conditions, the proposed spread footing will be approximately 10 to 11 feet square.

We recommend the guyed wires be supported by deadman anchors. However, the anchors should be designed to bear above the observed groundwater depths for ease of construction, corresponding to maximum depths of 7 feet, 6 feet, and $11-1 / 2$ feet at borings B-2 through B-4, respectively. The contractor should take extreme care to avoid excavating into the groundwater table. Based on the existing soil conditions and expected tower loads, we anticipate the deadmen may be on the order of 3 to 4 high by 4 to 5 feet wide by 15 to 20 feet long (distance perpendicular to the tower) with the top of deadman anchors a minimum of 3 feet below finished grade. The Net Allowable Passive Earth Pressure Diagrams, Figure Nos. 6 through 8, should be used to size the deadman anchors for resisting the horizontal component of the guyed tower.

We recommend sizing the guy anchor based on straight sided anchors, without a toe lip cast on the bottom perimeter of the anchors. The loaded side (tower side) of the guy anchor excavations must be constructed vertical to maintain the passive pressure integrity of the soil used to resist the horizontal component of the guy anchor tension. The guy anchor block excavations can be backfilled with on-site excavated soil. All backfill should be placed in an engineered manner as outlined in the SITE PREPARATION section of this report. We anticipate the on-site backfill will predominantly consist of silty sand, silty clay, and sandy clay. The moisture/density relations for the material to be used for engineered fill should be determined prior to placement in the field. Based on our experience with similar soils and considering the variable soil conditions, we estimate a total unit weight of 100 pounds per cubic foot (pcf), a cohesion value of 750 psf for cohesive soils, and a friction angle of 30 degrees for the granular soils when compacted as specified in the SITE PREPARATION section of this report.

We anticipate caving and/or sloughing of the granular soils will occur during excavation operations for the tower mast spread footing and deadman anchors. Therefore, the contractor should be prepared to over-excavate and form the tower mast footing and the loaded side of the deadman anchors vertical, as necessary. The loaded side (tower side) of the guy anchor excavations must be formed vertical within the granular soils to maintain the passive pressure integrity of the soil used to resist the horizontal component of the guy anchor tension. Once the forms are removed from the loaded side of the tower, the backfill material must be compacted to 95 percent of the modified Proctor maximum dry density.

Do not consider this summary separate from the entire text of this report, with all the conclusions and qualifications mentioned herein. Details of our analysis and recommendations are discussed in the following sections and in the Appendix of this report.

## PROJECT DESCRIPTION

We understand the project includes construction of a 300 -foot tall guyed tower. At the time of this investigation, the tower manufacturer and actual loading conditions were not available. However, based on similar communication sites, we estimate the proposed tower will impose a vertical compression load ranging from 250 to 300 kips at the tower base and the guy anchors will be subjected to a guy tension load ranging from 50 to 60 kips horizontal and 60 to 70 kips vertical. Once the actual tower loading conditions are determined, G2 Consulting Group, LLC (G2) should be notified so we can evaluate our recommendations in light of the actual loading conditions.

Based on the Site Plan Detail (Sheet 2) prepared by Midwestern Consulting, dated November 18, 2023, the proposed lease area and overall tower and anchor footprint have elevations sloping downward to the south, ranging from approximately 751 to 743 feet. Proposed finished grades are similar to existing with minor grading required at the tower compound.

## SCOPE OF SERVICES

The field operations, laboratory testing, and engineering report preparation were performed under the direction and supervision of a licensed professional engineer. Our services were performed according to generally accepted standards and procedures in the practice of geotechnical engineering in this area. Our scope of services for this project is as follows:

1. We drilled one soil boring at the approximate tower mast location extending to a depth of 25 feet below existing grade and one boring at each anchor location extending to a depth of 15 feet each below existing grade.
2. We performed laboratory testing on representative samples obtained from the soil boring. The laboratory testing included visual engineering classification, natural moisture content, and unconfined compressive strength determination.
3. We prepared this engineering report. The report includes recommendations regarding the allowable soil bearing capacity and estimated settlement of foundations, allowable passive earth pressure on the guy anchor blocks, pad and pier foundation design parameters, properties of backfill material, and considerations related to foundation and anchor construction.

## FIELD OPERATIONS

Telecom Towers AL, LLC, in conjunction with G2, selected the depth and location of the soil borings. The center of tower and anchor locations were staked in the field by a representative of the client prior to field operations. The approximate soil boring locations are shown on the Soil Boring Location Plan, Plate No. 1. The ground surface elevations at the boring locations were interpolated from the topographic lines presented on the aforementioned Site Plan Detail.

The soil borings were drilled using an all-terrain vehicle (ATV) mounted rotary drilling rig. Continuous flight, 3-1/4 inch inside diameter hollow-stem augers were used to advance the boreholes to the explored depths. Soil samples were obtained at intervals of 2-1/2 feet within the upper 10 to 15 feet and at intervals of 5 feet thereafter. The samples were obtained by the Standard Penetration Test method (ASTM D 1586), which involves driving a 2 -inch diameter split-spoon sampler into the soil with a 140 -pound weight falling 30 inches. The sampler is generally driven three successive 6 -inch increments with the number of blows for each increment recorded. The number of blows required to advance the sampler the last 12 inches is termed the Standard Penetration Resistance ( $\mathbf{N}$ ). The blow counts for each 6 -inch increment and the resulting N -values are presented on the individual soil boring logs.

The soil samples were placed in sealed containers and brought to our laboratory for testing and classification. During field operations, the driller maintained logs of the subsurface conditions, including changes in stratigraphy and observed groundwater levels. The final boring logs are based on the field boring logs supplemented by laboratory soil classification and test results. The boreholes were backfilled with auger cuttings upon completion of drilling operations.

## LABORATORY TESTING

Representative soil samples were subjected to laboratory testing to determine soil parameters pertinent to foundation design and site preparation. An experienced geotechnical engineer classified the samples in general conformance with the Unified Soil Classification System.

Laboratory testing included natural moisture content and unconfined compressive strength determinations. The unconfined compressive strengths were determined by using a spring-loaded hand penetrometer. The hand penetrometer estimates the unconfined compressive strength to a maximum of $4-1 / 2$ tons per square foot (tsf) by measuring the resistance of the soil sample to the penetration of a calibrated spring-loaded cylinder.

The results of the moisture content and unconfined compressive strength laboratory tests are indicated on the soil boring logs at the depths the samples were obtained. We will hold the soil samples for 60 days from the date of this report, after which time they will be discarded. If you would like the samples, please let us know.

## SITE DESCRIPTION

The proposed site is located on the south side of Sebewaing Road in Bad Axe, Michigan. The proposed tower center will be located approximately 325 feet south of the road in an agricultural field. An existing tree line extends along the west side of the field, adjacent to the west anchors. Existing grades slope downward to the southeast ranging from approximately 751 at the northwest anchor to 743 at the southwest anchor. The tower compound has elevations ranging from approximately 744 to 746 feet. Access to the compound will be extended from Sebewaing Road to the west side of the compound. Surrounding properties are generally residential and agricultural in nature.

## SOIL CONDITIONS

Approximately 8 to 10 inches of silty sand topsoil are present at the soil boring locations. Silty clay and sandy clay underlie the topsoil and extend to approximate depths ranging from 3 to 8 feet. Sand, silty sand, sandy silt, and gravelly sand are present below the cohesive soils and extend to approximate depths ranging from 14 to $14-1 / 2$ feet at borings $B-1$ and $B-3$ and to the explored depth of 15 feet at borings $B-2$ and $B-4$. Silty clay underlies the granular soils at borings $B-1$ and $B-3$ and extends to the explored depths of 25 feet and 15 feet, respectively.

The silty clay and sandy clay extending to approximate depths ranging from 3 to 8 feet are stiff to very stiff in consistency with natural moisture contents ranging from 13 to 20 percent and unconfined compressive strengths ranging from 2,000 to 7,000 psf. The underlying granular soils are generally loose to medium compact with Standard Penetration Test $N$-values ranging from 6 to 23 blows per foot. However, a layer of very loose silty sand is present at boring B-4 with an $N$-value of 3 blows per foot. The underlying silty clay is very stiff to hard in consistency with natural moisture contents ranging from 10 to 14 percent and unconfined compressive strengths ranging from 5,000 to $9,000 \mathrm{psf}$.

The stratification depths shown on the soil boring logs represent the soil conditions at the boring locations. Variations may occur away from the boring locations. Additionally, the stratigraphic lines represent the approximate boundary between soil types. The transition may be more gradual than what

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is shown. We have prepared the boring logs on the basis of the field log of soils encountered supplemented by laboratory classification and testing.

The Soil Boring Location Plan, Plate No. 1, and Soil Boring Logs, Figure Nos. 1 through 4, are presented in the Appendix. The soil profiles described above are generalized descriptions of the conditions encountered at the boring locations. General Notes Terminology defining the nomenclature used on the soil boring logs and elsewhere in this report is presented on Figure No. 5.

## GROUNDWATER CONDITIONS

Groundwater was encountered at approximate depths ranging from 6 to 13 feet, corresponding to elevations ranging from 736 to 737 feet. Upon completion of drilling operations, groundwater was typically noted within 1 to 1-1/2 feet of the encountered groundwater elevations. Fluctuations in perched and long-term groundwater levels should be anticipated due to seasonal variations and following periods of prolonged precipitation.

## SITE PREPARATION

On the basis of available data, it appears little earthwork will be required to achieve final design grades. Earthwork operations are anticipated to consist of removing any existing topsoil and vegetation from the proposed lease area and access drive, excavating for the tower foundation, excavating for the deadman anchors, backfilling soils above and in front of the deadman anchors, and constructing the access drive. We recommend all earthwork operations be performed under adequate specifications and properly monitored in the field.

At the start of earthwork operations, the existing vegetation and topsoil must be completely removed in their entirety from the proposed lease parcel and access drive. The exposed subgrade should be proof rolled with a fully loaded dump truck and visually evaluated for instability and/or unsuitable soil conditions. Any unstable or unsuitable areas noted should be improved by compaction or removed and replaced with engineered fill.

Any engineered fill placed should be free of organic matter, frozen soil, clods, or other harmful material. The fill should be placed in uniform horizontal layers that are not more than 9 inches in loose thickness. The engineered fill should be compacted to achieve a density of at least 95 percent of the maximum dry density as determined by the Modified Proctor compaction test (ASTM D 1557). All engineered fill material should be placed and compacted at approximately the optimum moisture content. Frozen material should not be used as fill, nor should fill be placed on a frozen subgrade.

## FOUNDATION RECOMMENDATIONS

We recommend a shallow spread footing foundation for support of the proposed tower mast bearing on the medium compact silty sand at a minimum depth of $3-1 / 2$ feet below finished grade for protection against frost action. The foundation can be designed for a net allowable soil bearing pressure of 2,500 psf bearing on the medium compact silty sand underlain by loose sand. Our net allowable soil bearing pressure is based on a factor of safety of 3 . Based on the estimated tower loading conditions, the proposed spread footing will be approximately 10 to 11 feet square.

We estimate foundation settlement for the tower may be in the range of $1 / 2$ to 1 inch. We base this estimate on our experience with similar soil and loading conditions.

## GUY ANCHOR FOUNDATIONS

We recommend the guyed wires be supported by deadman anchors. However, the anchors should be designed to bear above the observed groundwater depths for ease of construction, corresponding to
maximum depths of 7 feet, 6 feet, and 11-1/2 feet at borings $B-2$ through $B-4$, respectively. The contractor should take extreme care to avoid excavating into the groundwater table. Based on the existing soil conditions and expected tower loads, we anticipate the deadmen may be on the order of 3 to 4 high by 4 to 5 feet wide by 15 to 20 feet long (distance perpendicular to the tower) with the top of deadman anchors a minimum of 3 feet below finished grade. The Net Allowable Passive Earth Pressure Diagrams, Figure Nos. 6 through 8, should be used to size the deadman anchors for resisting the horizontal component of the guyed tower.

The uplift resistance shall be based on the requirements of EIA Standard-222-G for uplift, which include a factor of safety of 2.0 on the unit weight of the anchor backfill and a factor of safety of 1.25 on the total unit weight of the anchor concrete. The anchor resistance to horizontal load is a function of the net allowable passive pressure based on a factor of safety of 2.0.

We recommend sizing the guy anchor based on straight sided anchors, without a toe lip cast on the bottom perimeter of the anchors. The loaded side (tower side) of the guy anchor excavations must be constructed vertical to maintain the passive pressure integrity of the soil used to resist the horizontal component of the guy anchor tension.

The guy anchor block excavations can be backfilled with on-site excavated soil. All backfill should be placed in an engineered manner as outlined in the SITE PREPARATION section of this report. We anticipate the on-site backfill will predominantly consist of silty sand, silty clay, and sandy clay. The moisture/density relations for the material to be used for engineered fill should be determined prior to placement in the field. Based on our experience with similar soils and considering the variable soil conditions, we estimate a total unit weight of 100 pcf , a cohesion value of 750 psf for the cohesive soils, and a friction angle of 30 degrees for the granular soils when compacted as specified in the SITE PREPARATION section of this report.

## CONSTRUCTION CONSIDERATIONS

Caving and/or sloughing of the granular soils will likely occur during excavation operations for the deadman anchors. Therefore, the contractor should be prepared to over-excavate and form the loaded side of the deadman anchors vertical. The loaded side (tower side) of the guy anchor excavations must be formed vertical within the granular soils to maintain the passive pressure integrity of the soil used to resist the horizontal component of the guy anchor tension. Once the forms are removed from the loaded side of the tower, the backfill material must be compacted to 95 percent of the modified Proctor maximum dry density.

All excavations should be safely sloped, sheeted, shored, or braced in accordance with OSHA requirements. If material is stored or equipment is operated near an excavation, stronger shoring must be used to resist the extra pressure due to superimposed loads. All excavations should be backfilled as specified above after construction of deadmen.

No groundwater is anticipated within construction excavations at the recommended depths. In general, we expect accumulations of any surface runoff water in such excavations can be controlled with normal pumping from properly constructed sumps.

## GENERAL COMMENTS

We have formulated the evaluations and recommendations presented in this report relative to site preparation and foundations on the basis of data provided to us relating to the location, type, and grade for the proposed site. Any significant change in this data should be brought to our attention for review and evaluation with respect to the prevailing subsurface conditions. Furthermore, if changes occur in the design, location, or concept of the project, the conclusions and recommendations contained in this
report are not valid unless G2 Consulting Group, LLC reviews the changes. G2 Consulting Group, LLC will then confirm the recommendations presented herein or make changes in writing.

The scope of the present investigation was limited to evaluation of subsurface conditions for the support of proposed tower and other related aspects of the development. No chemical, environmental or hydrogeological testing or analyses were included in the scope of this investigation.

We base the analyses and recommendations submitted in this report upon the data from the soil borings performed at the approximate locations shown on the Soil Boring Location Plan, Plate No. 1. This report does not reflect variations that may occur away from the actual boring locations. The nature and extent of any such variations may not become clear until the time of construction. If significant variations then become evident, it may be necessary for us to re-evaluate our report recommendations.

Accordingly, we recommend G2 Consulting Group, LLC observe all geotechnical related work, including foundation construction, subgrade preparation, and engineered fill placement. G2 Consulting Group, LLC will perform the appropriate testing to confirm the geotechnical conditions given in the report are found during construction.

## APPENDIX

Soil Boring Location Plan
Soil Boring Logs
General Notes Terminology
Allowable Passive Earth Pressure Diagrams

Plate No. 1
Figure Nos. 1 through 4
Figure No. 5
Figure Nos. 6 through 8


## Parcel Number:



[^0]
***All zoning is subject to change. Please check with county zoning official for any updates.***

## ARTICLEXV.SPECIAL APPROVAL USEPERMITS

SECTION 15.01SPECIAL APPROVAL USEPERMITS-APPROVAL PROCEDURES. In order to make this Ordinance a flexible zoning control and still afford protection of property values and orderly and compatible development of property within the County, the Planning Commission, in addition to its other functions, is authorized to review certain uses designated as "Uses Permitted on Special Approval" within the various zoning classifications as set forth in the Ordinance.

Such uses have been selected because of unique characteristics which, in the particular zone involved, under certain physical circumstances and without proper controls and limitations, might cause them to be incompatible with the other uses permitted in such zoning district and accordingly detrimental thereto.

The burden of proof of facts which might establish a right to a Special Use Approval under the foregoing conditions shall be upon the applicant.

All applications for Uses Permitted on Special Approval shall be accompanied by a site plan and shall be processed in accordance with, and subject to all the provisions of Site Plan Review. The Planning Commission shall have the responsibility to review andapprove Special Approval Use Permits. It shall be the Planning Commission's responsibility to insure that specific conditions associated with each use are complied with.

Action of the County Planning Commission on any such matter shall be taken only after an application in writing shall be filed with the Zoning Administrator and shall be governed by the required procedure for an application pursuant to the Michigan Zoning Enabling Act, as amended, including holding a hearing. Developers of projects, which require a Special Approval Use Permit and zoning variances, shall apply for and be issued a Special Approval Use Permit before applying for zoning variances. Developers of projects which require a Special Approval Use Permit must begin work on the project within one (1) year of issuance of the permit unless otherwise agreed upon by the Planning commission.

The issuance of any permit shall not be approved unless the Planning Commission shall find, in each case, that:

1. All requirements set forth in this Ordinance will be complied with;
2. The use and any proposed structures to be utilized in connection therewith will not create any threat to the public health, safety and welfare and will not unduly aggravate any traffic problem in the area;
3. The proposed use will not be injurious to the surrounding neighborhood;
4. The proposed use will not be contrary to the spirit and purpose of this Ordinance. The Planning Commission may require such conditions as it may deem reasonably necessary to promote the spirit and intent of this Ordinance.
5. All proposed structures, equipment or material shall be readily accessible for fire and police protection;

## ARTICLEXV.SPECIAL APPROVAL USEPERMITSContinued

## SECTION 15.01SPECIAL APPROVAL USEPERMITS-APPROVAL PROCEDUREScontinued:

6. The proposed use shall not cause traffic congestion or movement out of proportion to that normally prevailing in the particular district.
7. The proposed use shall provide sufficient space for off-street parking of all vehicles attracted by its presence and shall abide by the regulations set forth in this Ordinance for its particular district or use;
8. Any proposed building shall not be out of harmony with the predominant type of building in the particular district by reason of its size, character, location or intended use.
9. If applicable, groundwater protection is incorporated into the design of the site and proposed facility.

## SECTION 15.02 USESNOTOTHERWISEINCLUDED WITHIN ASPECIFICUSEDISTRICT: (ZA\#98-1; eff. 6/10/98)

Because the uses referred to hereinafter possess unique characteristics making it impractical to include them to a specific use district classification, they may be permitted after consideration by the Planning Commission, pursuant to the provisions of Sections 14.28 of this Ordinance. In every case, the uses hereinafter referred to shall be specifically prohibited from any Residential (R-1, R-2, RM-1) District unless otherwise specified.

These uses require special consideration since they service large areas and require sizable land areas, creating problems of control with reference to abutting use districts. Those uses which fall specifically within the intent of the section are as follows:

1. OutdoorTheaters: Because outdoor theaters possess the unique characteristics of being used only after darkness and since they develop a concentration of vehicular traffic in terms of ingress and egress from their parking area, they shall be permitted in I-1 (IND), and AGR Districts only. Outdoor theaters shall further be subject to the following conditions:
a. The proposed internal design shall receive approval from the Zoning Administrator as to adequacy or drainage, lighting and other technical aspects.
b. Outdoor theaters shall abut a major thoroughfare and points of ingress and egress shall be available only from such major thoroughfare.
c. All vehicles, waiting or standing to enter the facility, shall be provided off-street waiting space. No vehicle shall be permitted to wait or stand within a dedicated right-of-way.
d. The area shall be so laid out as to prevent the movie screen from being viewed from residential areas or adjacent major thoroughfares. All lighting used to illuminate the area shall be so installed as to be confined within, and directed onto, the premises of the outdoor theater site.

## ARTICLEXV. SPECIAL APPROVAL USEPERMITSContinued.

 SECTION 15.02 USESNOTOTHERWISEINCLUDED WITHIN ASPECIFICUSEDISTRICT: (ZA\#98-1; eff. 6/10/98) Continued.2. Communication Towers/Wireless Communication Facilities: shall mean and include all structures and accessory facilities relating to the use of the radio frequency spectrum for the purpose of transmitting or receiving radio signals. This may include, but shall not be limited to, radio towers, television towers, telephone devices and exchanges, microwave relay towers, telephone transmission equipment buildings, and commercial mobile radio service facilities. Not included within this definition are citizen band radio facilities, short wave facilities, amateur radio facilities, satellite dishes, and governmental facilities subject to state or federal law or regulations that may preempt municipal regulator authority (ZA '’01-01; effective. 7/6/01)....Said use (tower) shall be located on a continuous parcel of not less than one (1) acre have a road frontage of 150 ft . with a tower setback from all property lines (and right-of-way lines) a distance equal to the tower and antenna height, unless engineering plans and specifications document an "engineered" fall distance criteria which is less than the tower/antenna height (ZA '98-1;effective.6/10/98)
(A) Attached Wireless Communications Facilities shall mean wireless communication facilities that are affixed to existing structures, such as existing buildings, towers, water tanks, utility poles, and the like. A wireless communication support structure proposed to be newly established shall not be included within this sub-definition. (ZA ‘01-01; adpt. 5/8/’01; effective. 7/6/’01)
(B) Wireless Communication Support Structures shall mean structures erected or modified to support wireless communication antennas. Support structures within this definition include, but shall not be limited to, monopoles, lattice towers, light poles, wood poles and guyed towers, or other structures which appeal to be something other than a mere support structure. (ZA '01-01; adpt. 5/8/’01; effective. 7/6/'01)
(C) Colocation shall mean the location by two (2) or more wireless communication providers of wireless communication facilities on a common structure, tower, or building, with the view toward reducing the overall number of structures required to support wireless communication antennas within the county. (ZA ‘01-01; adpt. 5/8/’01; effective. 7/6/’01)

Performance standards: (ZA ‘98-1; eff. 6/10/98)

1) The plans of the tower construction shall be certified/sealed by a registered structural engineer. The applicant shall provide verification that the antenna mount and structure have been reviewed and approved by a professional engineer and that the installation is in compliance with all applicable codes.
2) All towers shall be equipped with an anti-climbing device to prevent unauthorized access.
3) Accessory structures are limited to uses associated with the operation of the tower and may not be located any closer to any property line than thirty (30') feet. Accessory structures shall not exceed 600 s.f. of gross building area.
4) All towers must meet the standards of the Federal Aviation Administration and the Federal Communication Commission.

## CommunicationTowers/WirelessCommunicationFacilitiescontinued:

Performance standards: (ZA ‘98-1; eff. 6/10/98) continued:
5) Towers shall be located so that they do not interfere with reception in nearby residential areas.
6) The base of the tower and any guy supports shall be fenced with a minimum 6 ft . high fence.
7) The tower shall be removed by the property owner or lessee within six (6) months of being abandoned.
8) Colocation Review: Applicant(s) for zoning approval to construct a new wireless communication facility (tower) shall demonstrate that a feasible colocation on a nearby facility is not available for the coverage area and capacity needs. A map indicating the location of nearby wireless communication facilities (towers) shall be provided, and it shall be the responsibility of the applicant to demonstrate that such facilities do not have the capacity or location for colocation. All applications for new and/or modified wireless communication facilities (towers) shall demonstrate colocation capacity. (ZA ‘01-01; adpt. 5/8/'01; effective. 7/6/'01)
3. Water SupplyandSewage DisposalPlants: All uses shall be established and maintained in accordance with all applicable State of Michigan statutes. If any of the requirements of this subsection are less than those in applicable state statutes, the state requirements shall prevail.
a. Municipal water supply and sewage disposal plants, to serve the immediate vicinity, shall be permitted in all use districts.
b. Sewage disposal systems that are designed to disperse waste water from sources outside the County over large tracts of land shall not be permitted in the R-1, R-2, RM-1, and AGR Districts.
c. All operations shall be completely enclosed by a cyclone type fence, not less than six ( 6 ') feet high.
4. Sand,Gravel,Topsoil,Ore and Minerals All uses shall be established and maintained in accordance with all applicable State of Michigan statutes. If any of the requirements of this subsection are less than those in applicable State statutes, the State requirements shall prevail.

No fixed machinery shall be erected or maintained within fifty (50') feet to any street right-of-way line or property line in order to insure sub-lateral support to surrounding property.

Where it is determined by the Planning Commission to be a public hazard, all uses shall be enclosed by a fence six (6') feet or more in height for the entire periphery of the property or portion thereof. Fences shall be adequate to prevent trespass, and shall be placed no closer than fifty ( $50^{\prime}$ ) feet to the top or bottom of any slope.


APPLICANT IS RESPONSIBLE FOR PAYMENT OF ALL FEES. I HEREBY CERTIFY THAT THE PROPOSED WORK IS AUTHORIZED BY THE OWNER OF RECORD AND THAT I HAVE BEEN AUTHORIZED BY THE OWNER TO MAKE THIS APPLICATION AS HIS AUTHORIZED AGENT, AND WE AGREE TO CONFORM TO ALL APPLICABLE LAWS OF THE STATE OF MICHIGAN. ALL INFORMATION ON THIS APLICATION IS ACCURATE TO THE BEST OF MY KNOWLEDGE. SECTION 23A OF THE STATE CONSTRUCTION CODE ACT OF 1972 ACT 230 OF PUBLIC ACTS OF 1972 BEING SECTION 25.1523A OF THE MICHIGAN COMPILED LAWS, PROHIBITS A PERSON FROM CONSPIRING TO CIRCUMVENT THE LICENSING REQUIREMENTS OF THIS STATE RELATING TO PERSONS WHO PERFORM WORK ON RESIDENTIAL BUILDING OR A RESIDENTIAL STRUCTURE. VIOLATORS OF SECTION 23A ARE SUBJECT TO CIVIL FINES. FINES MAY BE LEVIED FOR WORK STARTED WITHOUT A PERMIT.

PERMIT DESCRIPTION: PROPOSED OVERALL HEIGHT OF TOWER 310 FT. ABOVE EXISITNG GRADE COMPLIANT WITH HURON COUNTY AIRPORT ZONING ORDINANCE HEIGHT LIMITATION OF 1266 FT (AREA D) PERMIT REQUIRED.

ISSUED BY: JEFF SMITH

## NOTICE

## THIS CARD MUST BE POSTED ON THE JOB SITE



WORK CLASS: AIRPORT ZONING
USE TYPE: HEIGHT REVIEW


24 HOUR NOTICE REQUIRED FOR ALL INSPECTIONS.
(989) 269-9269

OCCUPANCY AND USE NOT AUTHORIZED UNTIL FINAL INSPECTION COMPLETED.

BLAIR JOHN H \& GRACE M TRUST 3021 SEBEWAING ROAD BAD AXE, MI 48413

GUZA EUGENE 3737 GRASSMERE ROAD BAD AXE, MI 48413

OSANTOSKI RYAN \& OSANTOSKI BRENT \& 1218 W RICHARDSON ROAD BAD AXE, MI 48413

VERHAAR MARTINUS C 2885 SOUTH GRASSMERE ROAD BAD AXE, MI 48413

SAP 2024-02
TELECOM TOWERS
MAILING LIST

PICHLA KENNETH \& KAREN TRUSTS 2308 ATWATER ROAD
BAD AXE, MI 48413

GUZA CHRISTOPHER M \& ANGELA S 2345 LEPPEK ROAD UBLY, MI 48475

DEACONS BRIAN
3260 SEBEWAING ROAD
BAD AXE, MI 48413

FASSBENDER MICHAEL J 3625 SOUTH GRASSMERE ROAD BAD AXE, MI 48413

SWEENEY HILDA LE/TRUST 3449 SEBEWAING ROAD BAD AXE, MI 48413

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James Leonard 66 Buschlen Road Bad Axe, MI 48413


[^0]:    *** Information herein deemed reliable but not guaranteed***

