

KASSON TOWNSHIP PLANNING COMMISSION
REGULAR MEETING
Monday, May 20, 2024 7:00 p.m.
Kasson Township Hall, 10988 S. Newman Road, Maple City, MI 49664

Minutes

1. Call Meeting to Order/Pledge of Allegiance
Chairman Lanham called the meeting to order at 7:00pm with the Pledge of Allegiance.
2. Roll Call of Commissioners and Staff/Recognition of Visitors
 - A. Present: Chairman – Mike Lanham; Zoning Board of Appeals- Dave Noonan; Vice Chairman- Jerry Roush; Secretary T Eftaxiadis; Township Board Rep- Tad Carter
Absent: None
 - B. Staff: Tim Cypher, Zoning Administrator; Marsha Wolf, Recording Secretary
 - C. Visitors present: approximately 5 visitors
3. Consideration of Agenda: Additions or Corrections
Chairman Lanham asked for a motion to approve the agenda as presented. Eftaxiadis moved to approve the agenda as presented; Carter seconded. All present in favor, motion carried.
4. Declaration of Conflicts of Interest- None
5. Approval of Minutes – April 15, 2024
Chairman Lanham asked for a motion to accept the minutes for April 15, 2024 meeting. Noonan moved to approve the minutes for April 15, 2024; Eftaxiadis seconded. All remaining present in favor, motion carried.
6. Correspondence Received -
Cypher advised he received notice for a Zoom meeting for June 3rd at 11a.m. for a decision on Enduro. Cypher can be contacted for the meeting number.
7. General Public Comment – None
Mary Shimek, co-owner of Bohemian Lavender Farm, a hobby farm of 9 years. Mary commented that as the township prepares to review township ordinances, she would like to thank the township for their previous support of small farms and their associated markets for stands.

8. Area Reports

- A. Chairperson – Commissioner Lanham – No Report
- B. Secretary – Commissioner Eftaxiadis – No Report
- C. Township Board – Commissioner Carter – No Report
- D. Zoning Board of Appeals – Commissioner Noonan - No Report
- E. Zoning Administrator’s Report – ZA Cypher – Cypher did not receive any questions for the April 2024 ZA Report and asked the board to confirm it was acceptable. The board acknowledged that there were no questions or concerns with the April 2024 ZA Report.

9. New Business

A. Verizon Wireless/TAG Towers- Proposed 255’ tower

1. Presentation by Applicant

Bob Pryzbylo and Rob Label were present as reps for Verizon/TAG. Applicants are proposing a special use permit for a new wireless communication facility as presented on Attachment A. There is a gap in service along the proposed location on M-72 and Verizon/Tag are looking to improve service. When determining the best site for a new facility, Verizon/TAG try to locate and use an already existing tower. The applicants explained that no existing tower is available that provides service to the coverage required.

Verizon/TAG have secured a lease agreement with Elmer’s for the proposed site (100’x100’) within the industrial gravel district. The proposal would contain a 255’ lattice tower with equipment (cabinets w/canopy, propane tank and generator) located at the base. Applicant commented that the township ordinance is ambiguous for regulations for wireless facilities, and upon review with Cypher, were able to find 2 zones with land use that they used to interpret the requirements. Facility will be located behind berm on Elmer’s property and exceeds the setback requirements. The tower will be lit as required per FAA with lights at the top and additional lights mounted half-way down the tower. The lights will be white during the day and red during the evening. The lights are state of the art halogen systems that uses horizontal lighting beams engineered to be less visibly intrusive in comparison to older tower models. Applicants added that Verizon/TAG chose site due to engineers determining search ring as a pin point as to where a tower should be located. The proposed tower will allow the gap to be filled between existing towers. Verizon/TAG advised that adding the new tower will add capacity for existing towers that have

reached or exceeded the amount of coverage zone needed, and the new tower, in turn, will prevent outages.

2. PC Questions/Discussion with Applicant

Commission asked the applicants if they anticipate other providers using the tower. Applicants commented that yes, Verizon will be the first occupant and other carriers will follow and be on the tower. The tower is designed for 4 carriers, Verizon being one and the other 3 available for other providers and emergency services.

Commission commented coverage map does not seem to impact the rural area with limited residences is surrounds. Applicants advised that the tower will dramatically improve coverage and outages along M-72 and surrounding residences. Applicants advised there is a requirement for communication companies to get service into rural areas and areas of significant traffic and coverage provides additional safety as 97% of 911 calls are made from cell phones. Verizon would also use this tower to aid the surrounding towers for additional capacity as needed.

Commission asked on the relationship between height of the tower and the return of signal. Applicant commented that 250' is the best height for balancing distance covered by signal strength. Applicant added that they will rent a spot on the tower from TAG Towers.

Commission asked if there is anything in code that could prevent this proposal. Cypher advised he spoke with legal counsel and the applicant and it was determined that a public hearing was the best option for this proposal since it would require a notice to anyone within 300 ft. and a notice published in the newspaper. Cypher stated that most people do not have a land line, so coverage needs to be considered.

Commission asked the applicants on the decision of the lattice tower vs. the monopole. Applicant advised that a tower of 255' can't use a monopole, therefore, a self-support lattice was determined to be the least obtrusive option for the area.

Cypher asked for a better clarification and definition on coverage be provided for the public hearing. Applicants advised they will go into more detail and add a scale for public hearing.

Commission asked how far the signal reaches. The applicants advised approximately 3 miles...but topography, trees etc. can make a difference in how far it will go. Verizon will provide an additional map that shows the 3-mile coverage for the public hearing.

Commission asked how far the tower lights will it be seen and if it will go further into neighboring vicinities. Verizon advised they will add more detail on the new technology for the public hearing to show the general public. Applicants advised light won't go into neighboring vicinities since it is a dulling lighting system that fades out the further it goes and the light is intended to stay in the air and not transmit any light to land.

Commission asked about the aesthetics of a lattice tower in an area that is rural, the dark sky issue and questions the property value/marketability of property. Applicant advised although there is residential potential in the future, they put the proposal together to determine a least intrusive location to appeal to the area. In addition, if the tower was proposed to be a lesser height, the coverage provided would be less and more towers would be required to create the same coverage. Applicant advised they have studies and surveys showing property values have not gone down with tower structures. Applicants advised studies showed land with potential future residential properties are more sought after when they have dependable coverage than no coverage for homes.

3. Public Comment- None
4. Applicants Response to Public Comment- N/A
5. PC Discussion with Staff
Cypher will provide a finding of fact; the ordinance and a site-plan review to see if a decision can be made on the June public hearing.
6. Deliberation/Motion to set Public Hearing for June 17, 2024
Chairman Lanham asked for a motion to set the Public Hearing on June 17, 2024, for Verizon Wireless/TAG Towers Special Use Application at 2488 W. Empire Highway for a 255' tower. Eftaxiadis moved to set the Public Hearing on June 17, 2024, for Verizon Wireless/TAG Towers Special Use Application at 2488 W. Empire Hwy. for a 255' tower, Carter seconded. All present in favor, motion carried.

B. New Cass, LLC – Rezoning Request

1. Presentation by Applicant

Mark McKeller was in attendance as the attorney representing New Cass LLC. New Cass LLC is related to Cherry Republic, who is requesting rezoning (Attachment B and C) a 1.97-acre property located in Maple City (Attachment D). The property currently houses several older mobile homes and a ranch home. The applicant is requesting to rezone the property to increase current density requirements and remove mobile homes on the property. It is anticipated that once rezoning is complete, duplexes/townhouses will be added to the property to provide affordable housing to employees of Cherry Republic. Applicant is requesting a variance to allow for the capacity of a 2-acre parcel. It was also mentioned that if unable to rezone, the applicant will look into options working with the neighbors for a property line adjustment to increase the lot size to 2-acres. The Ranch home on the property has been remodeled and all current systems for the mobile homes were deemed fit by the health department, but depending on the size of the homes may need to be updated.

The housing will be available to mostly of full-time employees and may serve other industries within the county for housing for employees. Rebecca Benedict, Executive Assistant for Cherry Republic was present for the meeting. Benedict advised it is a struggle to source affordable housing within Leelanau County and many employees are only left with the option to live in surrounding counties and endure long commutes to the workplace daily.

2. PC Questions/Discussion with Applicant

Commissioners agreed the county needs workforce housing and asked on the anticipated time-line and scope of project. The applicant advised they would like to start the first phase of the project (rezoning) to attract workers who have to travel from out of the county. Applicant added the potential of other companies that may be interested in utilizing a portion of the housing development. Once the property gets to the building phase, it will be determined on the specific types of housing will be built and availability.

Commissioners asked how many people can potentially live on the property with 2-acres. Cypher stated that there can be up to 16 multi-family homes per acre, making to total 32. Applicant advised

they do not anticipate having that many units at this time. Commission advised if the proposal is rezoned, the applicant will have to come back for a public hearing on the housing ideas and quantities. The applicant anticipates late summer or early fall before they provide a proposal for the structures.

Commission asked how the cost to employees will be assessed? The applicant advised Cherry Republic will manage and base rent off of employee wages to make it affordable. More information on density and planned structures will be presented during the building proposal meeting if the rezoning is approved.

Commission voiced concern on covenants and deed restrictions.

3. Public Comment -None

4. Applicants Response to Public Comment - None

5. PC Discussion with Staff

Cypher advised the applicant is following procedures for zoning amendment 116, chapter 12.

6. Deliberation/Motion to set Public Hearing for June 17, 2024

Chairman Lanham asked for a motion to set the Public Hearing on June 17, 2024, for New Cass, LLC to rezone from Medium & Small Lot Zoning to Mixed Use Commercial Core Zoning. Noonan moved to set the Public Hearing on June 17, 2024, for New Cass, LLC to rezone from Medium & Small Lot Zoning to Mixed Use Commercial Core Zoning at 8491 S. Maple St., Roush seconded. All present in favor, motion carried.

10. Old Business

A. Zoning Ordinance amendments for PC review – Lanham advised this be tabled until July meeting. Commissioners agreed.

B. By-Laws Review- Lanham advised this be tabled until July due to delay in legal review. Commissioners agreed.

11. General Public Comment - None

12. Comments from the Commissioners – None

13. Next Meeting: Monday, June 17, 2024; Kasson Township Hall

14. Adjournment

Chairman Lanham asked for a motion to adjourn the meeting. Roush moved to adjourn the meeting; Noonan seconded. All present in favor, motion carried. The meeting was adjourned at 8:30 pm.

Respectfully submitted,
Marsha Wolf
Kasson Township Recording Secretary

DRAFT

Attachment A

RJP CONSULTING

January 26, 2024

Kasson Township
ATTN: Planning Commission
c/o Zoning Administrator
10988 S. Newman Road
Maple City, MI 49664

Re: *TAG Towers and Verizon Wireless' Application for Special Use Permit ("Application") for 255' Wireless Telecommunication Facility at 2488 W. Empire Hwy, Empire, MI 49630 – Tax Parcel #007-020-008-00 ("Property")*

Dear Planning Commission:

We represent TAG Towers and Verizon Wireless ("Applicant") with respect to the above referenced matter. Enclosed with this correspondence are the following:

1. Completed Signed Application for Special Use Permit (**Exhibit A**).
2. Signed and Certified Site Plan (**Exhibit B**).
3. Radio Frequency Maps demonstrating gap/need for coverage (**Exhibit C**).
4. Map of Existing Nearby Towers (**Exhibit D**).

In addition to the foregoing attachments, set forth below is a description of the criteria of Section 7.7 of the Kasson Township Ordinance ("Ordinance") and a response as to how TAG Towers and Verizon Wireless has met each of these respective requirements under the Ordinance. We respectfully ask that the Applicant's Application be considered by the Planning Commission at the first available date.

INTRODUCTION

As reflected in the Applicant's responses below, it is necessary for the Applicant to erect a 255' self-support lattice tower (with 4' maximum lighting rod on top) and accompanying equipment ("Proposed Facility") at the property located at 2488 W. Empire Hwy, Empire, MI 49630 ("Site"), so it can remediate an existing gap in network coverage in the area surrounding the Site and improve its network reliability.

It is always Verizon's preference to collocate on existing structures whenever possible. Unfortunately, in this case, there are no existing structures in the area, so Verizon Wireless has no choice but to propose a new tower. Please see exhibit D, which shows that Verizon Wireless is already on the nearest existing towers to this location.

Verizon Wireless desires to provide Kasson Township with dependable wireless service. It is essential that Verizon Wireless be allowed to develop their network in such a way that enables them to provide adequate coverage

to their existing and future customers in and through this area. Verizon Wireless has a Radio Frequency License from the FCC for the State of Michigan. The FCC requires its licensees to provide adequate and reliable service in the licensed area as specified in Title 47, Part 24.103 of the Code of Federal Regulations. To fulfill this requirement for their FCC license, Verizon Wireless needs to provide continuous, uninterrupted wireless communication service in the area that is the subject of this Application. Without the proposed site, Verizon Wireless will suffer several hardships: 1.) disruption of the network design; 2.) compromising needed coverage; and 3.) Verizon Wireless' inability to provide adequate and reliable coverage to the public, among others. The Proposed Facility will allow Verizon Wireless to provide the quality of service required by the FCC and demanded by the public.

The Proposed Facility will be designed and constructed to meet applicable governmental, health and industry safety standards. Specifically, the Applicant will comply with all FCC and FAA rules governing construction requirements, technical standards, lighting, interference protection, power and height limitations and radio frequency standards.

ORDINANCE ANALYSIS

Section 7.7 Basis For Determination:

- A. Be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity as indicated in the Township Master Plan or other policies of the Township.

RESPONSE: Wireless Communication Towers (WCT) are a permitted use in the GR District at 90'. There is no provision for a taller height but under Section 5.11, an SUP can be obtained for a height taller than 90'. The fact that the ordinance allows a "Point to Point Telecommunication Tower" to be taller than 90' with an SUP and does not allow that for a WCT, effectively makes the ordinance prohibitive against WCT which is illegal under the 1996 Telecommunication Act. A 90' height limit is arbitrary and capricious in the fact that such a low height would require multiple towers to cover the same geographic area as one taller tower. And with the rural nature of the township along with the existing extensive foliage, render the shorter towers ineffective, again a violation of the 1996 Telecommunication Act. Towers such as the Proposed Facility are consistent with such districts especially along major state highways. It is not uncommon to find much larger structures, such as High Voltage Transmission Lines or Wind Turbines in many agricultural areas such as this. The Proposed Facility has been placed behind a large berm and away from neighboring parcels, it is also located within an active gravel mining operation.

- B. Not be hazardous or disturbing to existing uses in the same general vicinity and will not have adverse effects on the market value of surrounding property and to the community as a whole.

RESPONSE: The Proposed Facility meets this requirement because it is located within an active gravel mining operation and is screened from adjacent parcels by berms and tree lines. The Proposed Facility will not have a negative impact on property values.

- C. Be served adequately by essential facilities and services, such as, but not limited to, highways, streets, police, fire protection, drainage structures, refuse disposal, water and sewage facilities, and schools.

RESPONSE: The small, unmanned facility will not generate demand for drainage structures, refuse disposal, schools, police, or fire protection. In fact, the Proposed Facility will enhance public safety by providing wireless service to residents so they can call 911 in emergency situations.

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

RESPONSE: The small, unmanned facility will not generate demand for additional public services and will not increase demand for existing energy sources. The equipment will connect to and use utility systems (electrical and fiber optic lines) that are already present on the subject parcel. The proposed facility will not require the use of services such as water or sewer. Electrical power and fiber optic services are the only necessary utilities.

- E. Not involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any persons, property or the general welfare by fumes, glare, noise odors or dust.

RESPONSE: The Proposed Facility will operate within all federal, state, and local rules and regulations. It will not generate any dust, fumes, or odors. The Proposed Facility will operate within the township's noise ordinance. The tower will be lit at the top and midway point and will utilize a minimal impact halogen lighting system. The lights will blink red at night and white during the day. The lighting system utilizes horizontal beam technology that significantly limits visual pollution to the surrounding area.

- F. Will be in general compliance with the land use policies outlined in the Township Master Plan, the principles of sound planning, and will not jeopardize the economic welfare of the Township.

RESPONSE: The Proposed Facility meets this requirement because it is located within an active gravel mining operation, this is a very industrial land use, and the Proposed Facility will fit harmoniously with the existing use.

- G. Will not directly or indirectly have a substantial adverse effect upon the natural resources of the Township. Including, but not limited to, prime or unique agricultural lands, water recharge areas, lakes, rivers, streams, forest, wetlands, wildlife areas, and major sand, gravel, or mineral deposits.

RESPONSE: The Proposed Facility will be located in an existing active gravel mining operation. It will have no impact on agricultural lands, water recharge areas, lakes, rivers, streams, forest, wetlands, wildlife areas, and major sand, gravel, or mineral deposits.

- H. Structures, landscaping, or other land uses will not disrupt water drainage systems necessary for agricultural uses and will be in compliance with Leelanau County Drainage Commission requirements.

RESPONSE: The Proposed Facility will request an SESC permit from the Drain Commission upon SUP approval. The Proposed Facility footprint is so small in nature, it will not have a negative impact on the current water drainage system.

- I. Phases of development are in a logical sequence, so that any one phase will not depend upon a subsequent phase for adequate access, public utility services, drainage, or erosion control.

RESPONSE: The Proposed Facility will be built efficiently with multiple phases and tasks being done at once to maximize the process and reduce the timeline for completion.

- J. Phases of development must also be in compliance with the requirements of the district in which it is proposed and all other standards in this Ordinance, as well as with the requirements of the County Road Commission, County Building Inspector, County Drain Commissioner, District Health Department, Soil Erosion Officer, Agricultural Soil Conservation Service, area fire departments, the DNR and other applicable township state and federal statutes.

RESPONSE: The Proposed Facility will comply with this requirement.

OTHER LEGAL CONSIDERATIONS

A. Applicable Federal Law

The Telecommunications Act of 1996, 47 USC §§151-614 (2001) (effective Feb. 8, 1996) ("TCA") provides certain limitations on the powers of local zoning authorities with respect to the regulation, placement, and construction of wireless service facilities. Specifically, the TCA provides that any regulation by the Township with respect to decisions involving wireless telecommunication towers "shall not prohibit or have the effect of prohibiting the provision of personal wireless services. 47 USC 332(c)(7)(B)(i)(I), emphasis added. The TCA further provides that "any decision by a State or local government or instrumentality thereof to deny a request to place, construct, or modify personal wireless service facilities shall be in writing and supported by substantial evidence." 47 USC 332(c)(7)(B)(iii), emphasis added.

It is the Applicant's position that its Application for Special Use Permit to construct the Proposed Facility, as demonstrated herein, meets and/or exceeds all the review standards set forth in the Ordinance. Therefore, the Applicant respectfully requests that its requested Special Use Permit be approved by the Planning Commission.

Sincerely,



Bob Przybylo
RJP Consulting, Inc. o/b/o TAG Towers and Verizon Wireless



EXHIBIT A



**KASSON TOWNSHIP
PLANNING/ZONING APPLICATION**

- CONCEPTUAL DEVELOPMENT PLAN REVIEW (PLANNED DEVELOPMENT)
- DEVELOPMENT SITE PLAN REVIEW
- SPECIAL USE PERMIT - EARTH REMOVAL, QUARRYING, GRAVEL PROCESSING, MINING OP'S
- SPECIAL USE PERMIT - ALL OTHERS
- SPECIAL USE PERMIT RENEWAL
- REZONING PETITION
- ZONING BOARD OF APPEALS PETITION

In addition to this application form, you must submit one or more addenda, corresponding to the box(es) you checked above.

APPLICANT INFORMATION:

Name(s) CELCO PARTNERSHIP DBA VEALZON WINDLESS & TALL TOWERS Phone 248-613-4399
 Street 24242 NORTHWESTERN HWY
 City SOUTHFIELD State MI Zip 48075
 Relationship of Applicant to Owner (If different) Lessee

OWNER INFORMATION (IF DIFFERENT FROM APPLICANT):

Name(s) ELMENS REAL ESTATE COMPANY LLC Phone 231-642-1935
 Street PO BOX 6150
 City TAVENST CITY State MI Zip 49685

OTHER CONTACT INFORMATION (IF NECESSARY):

Name(s) BOB PRZYBYLO RJP CONSULTING Phone 248-613-4399
 Street 3300 EVANINA BUSH RD.
 City BLOOMFIELD HILLS State MI Zip 48301

PROPERTY INFORMATION:

Address or Description 2498 W. EMPINE HWY, EMPINE, MI 49630
 Tax Parcel Number 007-020-008-00 (Also attach full legal description. A copy of the deed or land contract is acceptable)

Current Zoning: Ag Forest Commercial Gravel HD Village PD SPD
 Proposed Zoning: Ag Forest Commercial Gravel HD Village PD SPD

**KASSON TOWNSHIP
PLANNING/ZONING APPLICATION**

ACKNOWLEDGEMENT AND CERTIFICATION:

It is hereby acknowledged by the undersigned, that all information provided on this application, any addendum, and other supporting documentation is true and correct to the best of my(our) knowledge. In the case of a Zoning Board of Appeals Petition, it is further acknowledged that any approval of the ZBA involving site improvement, use, and/or construction does not relieve the applicant from obtaining other applicable authorizations and permits

SIGNATURES:

Applicant(s) or Bob by Bob Venzon witness & Tah Towers Date 1/26/24
 Authorized _____
 Corporate Officer(s) _____

Owner(s) or Bob by Bob Venzon witness & Tah Towers Date 1/26/24
 Authorized _____
 Corporate Officer(s) _____

REMINDER: SUBMIT THIS APPLICATION, THE APPROPRIATE ADDENDUM, THE REQUIRED FEE, ALL ATTACHMENTS AND DRAWINGS TO EITHER THE KASSON TOWNSHIP ZONING ADMINISTRATOR OR KASSON TOWNSHIP CLERK (SEE YOUR PARTICULAR ADDENDUM).

ZONING ADMINISTRATOR AND CLERK USE ONLY

Application ID _____
 Date and Time of Application Receipt _____ Received By _____
 Date Fee Received _____ Amount Received _____
 Date of Letter of Credit Received _____ Letter of Credit Amt _____
 Date of Letter of Credit Expiration _____

**KASSON TOWNSHIP
PLANNING/ZONING APPLICATION
ADDENDUM – SPECIAL USE PERMIT – ALL OTHERS**

Prior to completing this petition, the Applicant(s) should review the Kasson Township Zoning Ordinance, in particular Chapter 7, and any other section that applies to your petition. A copy of the Ordinance may be obtained from the Kasson Township Clerk.

Applicant Name(s) _____ Tax Parcel Number _____

RESOURCES

In preparing the Development Plan, the project applicant should review and become familiar with the Kasson Township Zoning Ordinance, Chapter 7 which outlines the complete process for requesting a Special Use Permit. The applicant may also use the resources available from the Township Zoning Administrator.

REQUIRED SUBMISSION

In addition to this application form, the applicant must submit to the Zoning Administrator the following required information:

- A detailed description of the proposed special use for which the permit is requested.
- A project schedule and development plans.
- A vicinity map:
 - With north point indicated
 - Showing land uses and existing structures on the subject parcel
 - Showing land uses, tax parcel numbers, and existing structures on all adjoining parcels within 500 feet of the subject parcel.
- A written statement detailing how the special use will impact on existing infrastructure, including, but not limited to, traffic, capacity of roads, schools, existing utilities, and the natural environment.
- A site plan, prepared in accordance with the Kasson Township Zoning Ordinance, Chapter 8 – Development Site Plan Review.

**SUBMIT THIS APPLICATION, THE REQUIRED FEE AND ALL
ATTACHMENTS, AND DRAWINGS TO THE KASSON TOWNSHIP ZONING
ADMINISTRATOR**

EXHIBIT B



3 VICINITY MAP	JOB NO. 23034-M-2007 H I G W E S T E R N CONSULTING 10000 W. 10th Street, Suite 100 Overland Park, KS 66211 Tel: 913.241.1100 Fax: 913.241.1101 www.higwestern.com	PROJECT NO. 23034-M-2007 DATE: 07/20/07 DRAWN BY: JTB CHECKED BY: JTB SCALE: AS SHOWN	TAZ SITE M-2007 W. EMPIRE HWY. KANSAS TOWNSHIP LEFNAU COUNTY, KANSAS	 TAC TRANSMISSION ACCESSORY CONSULTANTS 10000 W. 10th Street, Suite 100 Overland Park, KS 66211 Tel: 913.241.1100 Fax: 913.241.1101 www.tac-ks.com
	SCALE: 1" = 400' CALL BEFORE YOU DIG			



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EXHIBIT C



Zoning Presentation Map Color Legend

- Maps are plotted with Atoll using Reference Signal Received Power (Down Link) propagation coverage predictions.

- Values are in dBm

- Propagation Maps were created by Verizon Wireless Radio Frequency Engineer Jin Tang

Green: ≥ -85 dBm

- Represents excellent outdoor coverage and good in-building coverage. The user should expect to make and maintain a quality wireless connection both inside and outside residential buildings and most commercial buildings

Yellow: between -85 dBm and -95 dBm

- Represents fair outdoor coverage which means an inconsistent customer experience with random dropped or missed calls and intermittent to slow data speeds. It is even worse inside buildings.

Red: between -95 dBm and -105 dBm

- Represents poor to nonexistent outdoor coverage resulting in increased uncertainty in acceptable performance of voice calls and data usage with in-building service being very poor to non-existent.

No color(Beige): worse than -105 dBm

- Represents no service and the user's phone does not work.

North Arrow: The top of the page is always North.

Current Coverage

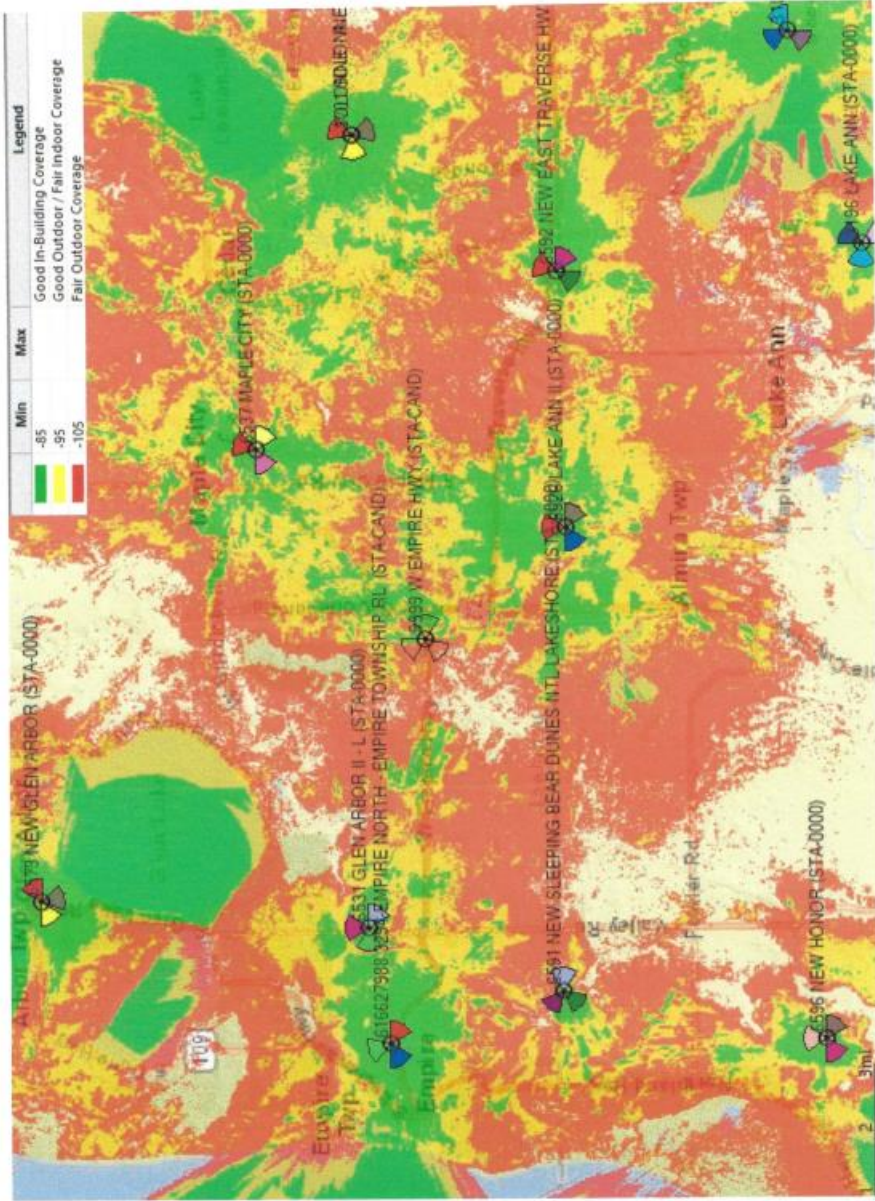
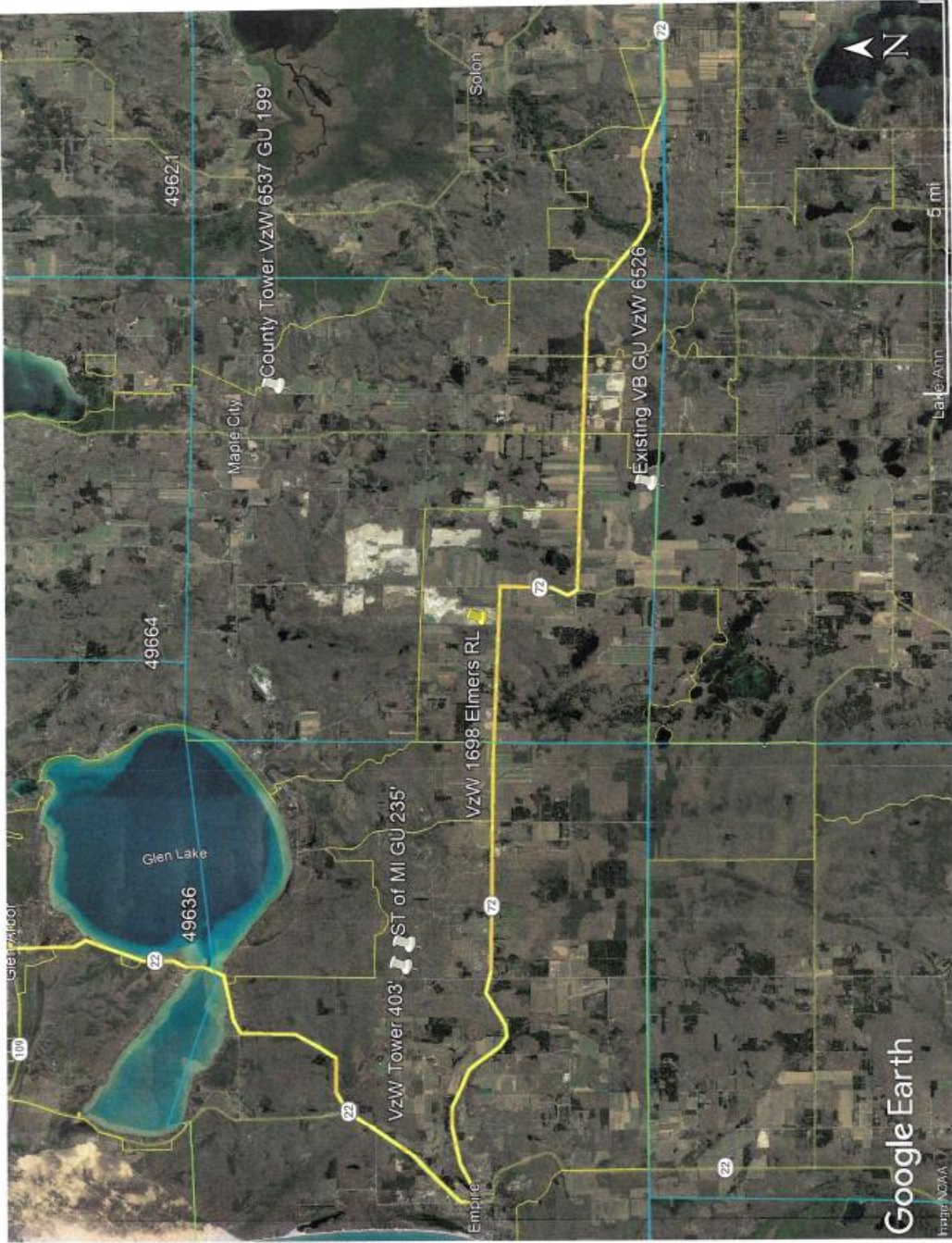


EXHIBIT D





Attachment B

From: Marc S. McKellar II <msm@kuhnrogers.com>

Date: Monday, May 20, 2024 at 1:26 PM

To: tim@allpermits.com <tim@allpermits.com>

Subject: RE: Kasson rezoning request

Tim,

My apologies, the purpose is to redevelop the parcel for employee housing. It would remove the mobile homes on site and redevelop with new housing. As you know my client owns Cherry Republic. We recently had success in having the zoning ordinance amended in Empire to allow for a doubling of their operations. This significant investment will centralize their operations that were in three counties to this site. But with the onboarding with new and transferring employees it also highlights a concern their employees have, housing. So, the property that they currently own in Maple City is adjacent to Commercial Core, a zoning district that would allow greater density and options in housing types that would help Cherry Republic develop housing their employees desperately need and could also provide opportunity for others as well. The property is 1.97 acres and the advantages for housing in commercial core are most viable when it's a 2-acre density. So, a variance for 3/100 of an acre is also something we will be asking for if the rezoning is approved. Given the insignificant amount (3/100 of an acre) I think it's a reasonable request. I don't want to get ahead of ourselves, this isn't a site plan review just a rezoning request, but I want everyone to know what the plan is. There is no specific housing style or type that has been selected or envisioned yet. If the rezoning is approved we will sharpen our pencil on the needs for CR and the public and go from there.

DRAFT

Attachment C

DocuSign Envelope ID: 818B5DFD-DC7F-4CD6-8B5E-628FB5179D4C

KASSON TOWNSHIP, LEELANAU COUNTY

PETITION FOR REZONING

PETITIONER(S)

Name New Cass, LLC Phone Number 231-947-7900
Street Address 4033 Eastern Sky Drive P.O. Box _____
City Traverse City State Michigan Zip Code 49684

Petitioner's Interest/Relationship in the Property if other than Owner:
Land Contract _____ Option _____ Other _____

OWNER(S) IF OTHER THAN PETITIONER

Name _____ Phone Number _____
Street Address _____ P.O. Box _____
City _____ State _____ Zip Code _____

PT NW 1/4 SEC 2 COM NW COR SD SEC TH S 01 DEG 51'11" W 2095.23 FT TO POB TH CONT S 01 DEG 51'11" W 131.54 FT T
H N 88 DEG 48'38" E 104.36 FT TH N 04 DEG 48'43" E 2.14 FT TH S 84 DEG 51'11" E 555.43 FT TH N 01 DEG 51'11" E 138.12 FT
TH N 86 DEG 27'12" W 659.20 FT TO POB SEC 2 T28N R13W 1.97 A MIL 2021 SPLIT FROM 007-002-007-00 & 007-002-013-00

LOCATION OF PROPERTY

Section (s) ____, T __N; R __W, Kasson Township, Leelanau County, Michigan SEE LEGAL ABOVE

LEGAL DESCRIPTION

Property Tax Number(s) 007-002-013-01

Attach a full legal description of the property proposed for rezoning. (A copy of the deed/land contract is acceptable.)
SEE LEGAL ABOVE

REQUIRED ATTACHMENTS

- A. Attach a fully dimensioned map or drawing showing the following:
 1. The boundaries of the property in question.
 2. All existing buildings and structures on the property and on adjacent properties within 100 feet of the property boundaries – and identify their present use.
 3. All proposed buildings and structures to be constructed on the property and identify their proposed use.
 4. All natural features such as creeks, streams, lake shores, topography (steep terrain, pot holes, gullies, ravines), soils, or wooded areas.
 5. All existing or proposed rights-of-way, and their names and widths.
 6. Indicate and dimension all setbacks, parking lots or spaces, driveways and landscaping.

B. Attach a list of names and addresses of all property owners within 300 feet of the property proposed for rezoning.

C. Attach any photographs or additional drawings which can assist in clarifying the petition.

REASONS FOR THE PROPOSED REZONING FROM Medium and Small Lot SF:MF

(Current Zoning) TO Mixed Use Commercial Core (Proposed Zoning)

Provide a full statement of reasons for the rezoning. _____

See attached

(If space provided is not sufficient, please attach separate a sheet with additional comments).

PREVIOUS ACTIONS/PETITIONS (If applicable)

Provide a statement of all previous petitions involving the subject property and the actions taken. None known

Signature of Applicant (s) DocuSigned by: Bob Sutherland Date March 5, 2024

Signature of Owner (s) _____ Date _____
If other than Applicant _____ Date _____

Signature of Land Contract Vendor (s) _____ Date _____
_____ Date _____

Required fee to be submitted with each application.

If you have any questions or need assistance in completing this form, please contact:

Zoning Administrator: Tim Cypher 231-360-2557 or tim@allpermits.com

Attachment D



DRAFT

DRAFT