

**MINUTES**  
**MARSHALL CITY TOWNSHIP JOINT PLANNING COMMISSION**  
**Regular Meeting Tuesday, May 10, 2016**

In a regular meeting session, Tuesday, May 10, 2015 at 7:00 PM at Marshall Township Hall, 13551 Myron Avery Drive, Marshall, MI, the Joint Planning Commission was called to order by Chair Banfield.

**ROLL CALL**

Members Present: Commissioners Banfield, Kiessling, Gresly, and Lyng.

Members Absent: Commissioner Riggs, Burke-Smith, Davis, and Meservey.

Staff Present: Susan George, Zoning Administrator, Marshall Township.

**AGENDA**

**MOTION** by Lyng, supported by Gresly, to accept the agenda of the May 10, 2016 regular meeting. On a voice vote; **MOTION CARRIED.**

**AUDIENCE PARTICIPATION**

None

**PUBLIC HEARINGS**

Public Hearing on special land use application #JPCSLU16.01 for the construction of a substation in the Professional Office Service District (POSD) at 726 N Old US 27, submitted by the city of Marshall.

Public Hearing Open

No public comments were made.

Public Hearing Closed

**OLD BUSINESS**

None

## NEW BUSINESS

Approval of site plan #JPCSP16.01 for the construction of substation at 726 N Old US 27, submitted by the City of Marshall.

Ed Rice, Director of Electric Utilities for the City of Marshall, presented a brief summary of the substation project at 726 N Old US 27. Rice stated that the City of Marshall currently has only one substation that feeds the entire city and outlying townships. He commented that this project is an important investment for the community and surrounding areas.

**MOTION** by Kiessler, supported by Lyng, to approve site plan #JPCSP16.01 for the construction of substation at 726 N Old US 27, submitted by the City of Marshall.

Commissioner Lyng questioned whether or not five feet would be an adequate height for the retention pond at the substation site to maintain the safety of the public.

Michael McGeehan, President of GRP Engineering and engineer for this substation project, stated that the height of five feet came from the recommendation of the civil engineer consultant for the project. He stated, if need be, that the fence height could be reviewed again due to safety concerns.

Tom Tarkiewicz, City of Marshall City Manager, stated that the retention pond fence at the Michigan Regional Law Enforcement Center (MRLEC) is six feet tall.

Commissioner Banfield inquired as to whether or not the retention pond would be close to the retention pond itself, or closer to the perimeter of the property. McGeehan stated that the fence would be generally around the top edge of the retention pond.

Commissioner Banfield asked the applicants if they would consider moving the north fence line of the facility out to connect to retention pond. McGeehan advised against combining the fences. He stated that from an electrical safety standpoint, it would make sense to keep the substation fence separate from the retention pond fence due to the crushed limestone and also to allow authorized vehicles to get between the substation and retention pond, in case of work needing to be done on the site.

Howard and Kathleen Johnson, of 19584 13 Mile Road in Battle Creek, asked about where the retention pond would be located on the site. McGeehan pointed out the location on the site plan to the Johnsons.

Tarkiewicz commented that he would also like to keep the fences separate because the City might contract out lawn maintenance of the site. He stated that keeping the mowing crew away from the electrical facility would be in everyone's best interest.

Commissioner Lyng commented that due to his concern about the screening between the substation and Marshall High School's softball fields, he went out to the site to view the area after last month's meeting. Lyng commented that the substation will be located farther north than he originally

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anticipated, farther away from the fields. He stated that if new screening were to be put in, the old-growth trees that already exist would have to come out. Lyng discussed that he did not think this would be necessary, but that he would still like to hear the school's opinion on the screening.

Tarkiewicz reported that he called the Superintendent of Marshall Schools, Randy Davis, to talk to him about the screening. Tarkiewicz explained that he left a message with the secretary describing the situation and asking Davis to call him back if he had any concerns or comments about the screening. Tarkiewicz stated that he never received a call from Davis. Commissioner Lyng stated that, in his opinion, there should be a direct conversation with Davis about the screening.

Commissioner Banfield stated that the last request for information from last meeting was in regards to the number of transmission line wood poles along the north edge of the Oaklawn Hospital property. McGeehan stated that there would be a total of seven utility poles to be installed between Old US 27 North and the new substation.

Howard Johnson commented that the trees along the fence line are, in his opinion, in bad shape. He commented that due to them being by the school, they are more of a hazard than help.

**MOTION AMENDED** by Lyng, supported by Kiessling, to approve site plan #JPCSP16.01 for the construction of substation at 726 N Old US 27, submitted by the City of Marshall with the following condition:

- Enclose the retention pond in a fence with a height of at least six feet.

On a voice vote; **MOTION CARRIED.**

Recommendation on special land use application #JPCSLU16.01 for the construction of a substation in the Professional Office Service District (POSD) at 726 N Old US 27, submitted by the City of Marshall.

**MOTION** by Gresly, supported by Lyng, to recommend to City Council that special land use application #JPCSLU16.01 for the construction of a substation in the Professional Office Service District (POSD) at 726 N Old US 27, submitted by the City of Marshall, be approved.

Using the Standards For Special Use Approval Worksheet, the board cited the following items pertaining to this site:

- The proposed use shall be in accordance with the city master plan and the intent and purpose of the subchapter. **Commissioners commented that the city master plan did not show a substation in this area, however, the City picked the most optimal location for the substation.**
- A documented and immediate need exists for the proposed use within the community. **Commissioners commented that the City of Marshall electrical department has shown the need for the proposed substation and the associated benefits that will result for the community.**

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- The use is compatible with adjacent uses and the existing or intended character of the surrounding neighborhood, and will not have an adverse impact upon or interfere with the development, use or enjoyment of adjacent properties, or the orderly development of the neighborhood. **Commissioners discussed that the use of the substation will not have an adverse impact on adjacent properties, and that the substation will sit back on the property far enough out of site to interfere with the surrounding properties.**
- The proposed use shall be designed, constructed, operated and maintained so as to be compatible with the use of adjacent lands. **Commissioners commented that the City of Marshall, as the owner, will maintain the upkeep of the property.**
- The proposed use shall be compatible with the natural environment. **Commissioners stated that the substation is not compatible with the natural environment, however, plantings will be added that will be compatible with the surrounding environment.**
- The proposed use shall be adequately served by essential public facilities and services, such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewage facilities and schools. **Commissioners commented that the proposed use is a public facility.**
- The proposed use shall not involve activities, processes, materials and equipment or conditions of operation that will be detrimental to public health, safety and welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors. **Commissioners discussed that substation has been designed property by licensed engineers**

**MOTION RESTATED** by Gresly, supported by Lyng, to recommend to City Council that special land use application #JPCSLU16.01 for the construction of a substation in the Professional Office Service District (POSD) at 726 N Old US 27, submitted by the City of Marshall, be approved. On a voice vote; **MOTION CARRIED.**

## **PUBLIC COMMENTS**

None

## **MINUTES**

**MOTION** by Kiessling, supported by Lyng, to accept the minutes of the April 19, 2016 regular meeting as submitted. On a voice vote; **MOTION CARRIED.**

## **REPORTS**

None

(unofficial)

**ADJOURN**

The Joint Planning Commission adjourned at 7:26 p.m.

Respectfully submitted,

*Elizabeth Renaud*