

ISABELLA COUNTY
Application for Special Use Permit

Applicant:

Name Skyway Towers, represented by Leland Calloway of ArchHaven, LLC Owner/Agent/Other interest (circle one)

Address 23133 Woodward Ave, #446, Ferndale, MI 48220

Phone 248-808-2774 Fax _____

Property Owner: (if different from applicant)

Name Judy and Keith Moeggenberg

Address 6707 E. Beal City Road, Mt Pleasant, MI 48858

Phone 989-621-1730 Fax _____

Property Location:

Township Denver Township Section 19 Zoning District RESTRICTIVE AGRICULTURAL (AG-1)

Address 6707 E. Beal City Road, Mt Pleasant, MI 48858

Tax I.D. Number 06-019-40-002-00

Description of Project and Proposed Use: Wireless communications facility including a 165' tower, equipment cabinets, meter rack and equipment cabinets enclosed by a 75' x 75' chain link fence.

Signature of Applicant

Date

Optional: I hereby grant permission for members of the Isabella County Planning Commission and Zoning Administrator to enter the above described property for the purposes of gathering information related to this application.

Signature of Applicant

Date

NOTE: All information received by this department is subject to the Freedom of Information Act. Under this Act, persons are allowed to request copies of said information. This includes, but not limited to, all copyrighted drawings/blueprints.

Office Use Only

File No. PSUP240004 Fee \$ 350 Check # 28274 28593 Receipt No. 13966

Date Application Received 7-18-24 Application Received By ag

Legal Description Attached? ☒ YES ☐ NO

Site Plan Attached? ☒ YES ☐ NO

Applicable Ordinance Section(s) 12.05 H



**APPLICATION FOR SPECIAL USE PERMIT
AND NECESSARY APPROVALS
TO CONSTRUCT A NEW WIRELESS
TELECOM FACILITY
AT**

**6707 BEAL CITY ROAD
MT PLEASANT, MI 48858
PARCEL 06-019-40-002-00**

**SKYWAY TOWER SITE:
MI-09625 ROSEBUSH SOUTHEAST
VZW SITE
#6876 ROSEBUSH SOUTHEAST**

ArcHaven, LLC

July 17, 2024

Ray Johnson
Zoning Administrator
Isabella County Community Development Department
200 Main Street
Mt Pleasant, MI 48858

Re: Skyway Towers Application for Special Use Permit and Necessary Approvals to Construct an Unmanned Multi-Carrier Wireless Telecom Facility located at 6707 Beal City Road, Mt Pleasant, MI 48858, Parcel 06-019-40-002-00, Skyway Tower site: MI-09625 Rosebush Southeast, VzW Site #6876 Rosebush Southeast.

Dear Mr Johnson,

Enclosed for consideration, please find Skyway Towers application for a Special Use Permit and necessary approvals to construct a new 160-foot tall self support telecommunications tower with a 5-foot lightening rod and associated communications equipment within a 75-foot by 75-foot fenced, 5,625-square foot lease parcel, and to construct a gravel access drive within a 30-foot easement for access with public utilities leading north off of East Beal City Road at the above referenced location per the attached plans. In support of the application, please find enclosed the following documentation:

- Special Use Application
- Site Plan and Survey
- Michigan Tall Structures Permit determination
- FAA Determination of No Hazard
- Letter from Tower Design Engineer
- Propagation Maps

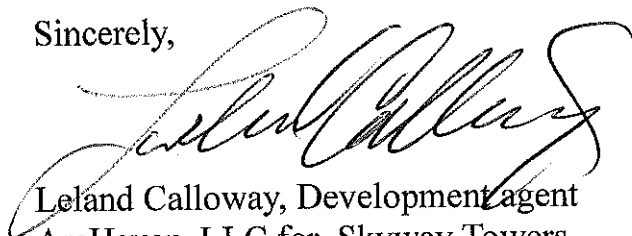
Skyway Towers would like to emphasize that their proposal to construct an additional tower in your jurisdiction is intended for the consideration of not only Verizon Wireless equipment but any and all wireless providers (carriers, wireless internet providers and E911) interested in improving service to your area. We have approached this project as thoughtfully as possible with an emphasis on blending the needs of the local citizenry with the need of our wireless clients. A clear requirement for additional antenna siting options spurred this request from the wireless providers.

Skyway Towers is constructing this tower to allow flexibility, efficiency, and economy in providing upgrades and improving its service to all consumers. The search area request by Skyway Towers encompasses an area with no existing towers or structures that meet their requirements other than the current tower, were found within that geographical area. The proposed tower will meet the requirements of Verizon Wireless and possibly other wireless communications providers. Our proposal allows for better and more comprehensive mobile wireless service to your community by enhancing Verizon's deployment of 5G and other next generation technology across the U.S., including FirstNet, public safety's dedicated, nationwide communications platform. The First Net program, which is a federally funded program for local, state & federal agencies First Responders, is designed to help all E911 agencies communicate and access data quickly to fulfill their duties.

Upon review of the submittal package, please advise if the package is considered complete for a Special Use Permit and any other necessary approvals to needed to construct this proposed facility.

We look forward to working with you and staff to help bring state of the art wireless telecommunications to the residents and workforce in your area. Please do not hesitate to contact us if you have questions, concerns, or require additional information.

Sincerely,



Leland Calloway, Development agent
ArcHaven, LLC for Skyway Towers
248-808-2774, lc@arc-haven.com

The following questions need to be answered in order to establish compliance with the general requirements for all special land uses:

1. Is the special use allowed within the sites zoning district and does the use agree with the County's comprehensive plan?

Yes. Wireless Communications Facilities are allowed in the AG-1 district with an SLU permit. The use is in agreement with the Isabella county's comprehensive plan since towers are not prohibited from AG-1 land.

2. Will the proposed use be detrimental to adjacent properties or land uses?

No. the proposed use will be setback well within the parcel lines of the subject parcel and will not have any effect on the adjacent properties. There are quite a few windmills in the area that are of similar style and color as a wireless communications tower so the use will be in harmony with other like uses in the immediate area.

3. How will the proposed use be designed, constructed, operated and maintained in a manner harmonious with the character of adjacent property and surrounding areas?

The tower will be a monopole design and made of non-corrosive similar to the existing windmills in the area. The facility is unmanned, non-polluting and self-operating. There will be maintenance done on a monthly basis to maintain the tower and lease area.

4. Will any hazard to adjacent property be generated by the special use or will it involve uses, activities, materials or equipment which will be detrimental to the health, safety or welfare of persons or property due to traffic, noise, smoke, odor, fumes or glare?

This site is non-polluting and will not involve the use of any activities, materials or equipment which will be detrimental to the health, safety or welfare of persons or property due to traffic, noise, smoke, odor, fumes or glare.

5. Does the special use require and have an appropriate and adequate waste handling system? If so, can person(s) responsible for the proposed special use demonstrate that the Central Michigan District Health Department has approved such a system or facility for continual use?

There will be no generation of waste as a part of this project.

6. Will the special use need to be conducted before 8:00 a.m. or after 8:00 p.m.? If yes, why?

Yes. The facility operates 24/7 and unmanned with the use of electricity and fiber/telco.

Site Plan and Survey

Legal Description of Property

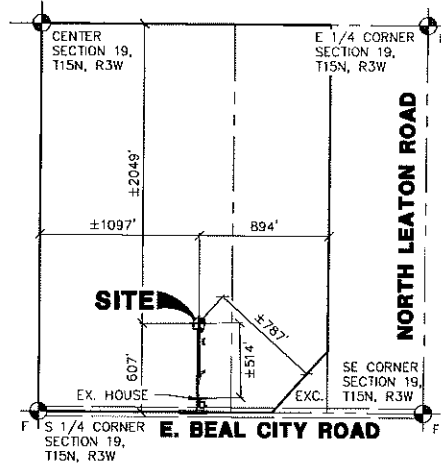
PROPERTY DESCRIPTION

(Taken from Title Commitment)

Situated in the Township of Denver, Isabella County, State of Michigan:

The West 1/2 of the Southeast 1/4 and the West 1/2 of the East 1/2 of the Southeast 1/4 of Section 19, Township 15 North, Range 3 West, Except that part lying South and East of the centerline of former railroad right of way, Denver Township, Isabella County, Michigan.

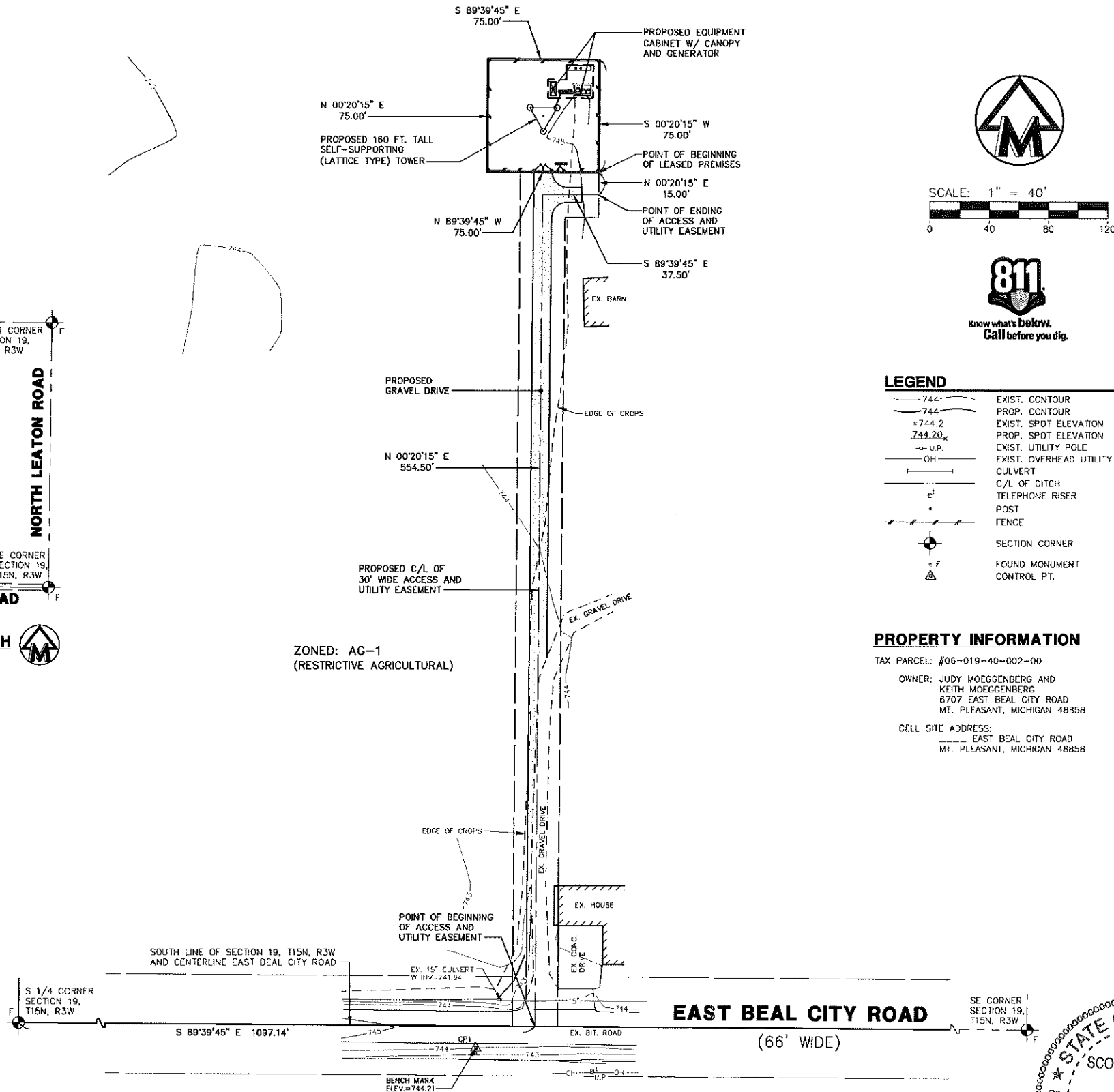
Being the same property conveyed to Judy Moeggenberg and Keith Moeggenberg, husband and wife, grantee, from Elenor Moeggenberg, a/k/a Eleanor Moeggenberg, a single woman, survivor of herself and Paul E. Moeggenberg, deceased, grantor, by quit claim deed recorded 06/25/2012, in Book 1594, Page 281, of the Isabella County Records.



OVERALL PARCEL SKETCH
SCALE: 1"=600'



ZONED: AG-1
(RESTRICTIVE AGRICULTURAL)



LEGEND

744	EXIST. CONTOUR
744	PROP. CONTOUR
744.2	EXIST. SPOT ELEVATION
744.20	PROP. SPOT ELEVATION
OH	EXIST. UTILITY POLE
OH	EXIST. OVERHEAD UTILITY LINE
C/L	CULVERT
C/L	C/L OF DITCH
e	TELEPHONE RISER
POST	POST
FENCE	FENCE
SECTION CORNER	SECTION CORNER
FOUND MONUMENT	FOUND MONUMENT
CONTROL PT.	CONTROL PT.

PROPERTY INFORMATION

TAX PARCEL: #06-019-40-002-00
OWNER: JUDY MOEGGENBERG AND
KEITH MOEGGENBERG
6707 EAST BEAL CITY ROAD
MT. PLEASANT, MICHIGAN 48858
CELL SITE ADDRESS:
EAST BEAL CITY ROAD
MT. PLEASANT, MICHIGAN 48858

VICINITY SKETCH

SCALE: 1"=2000'

LOCATION

LATITUDE 43° 40' 17.4"
LONGITUDE 84° 42' 50.0"
GROUND ELEV. @ TOWER BASE = 745.30

LEGAL DESCRIPTION OF LEASED PREMISES

Commencing at the South 1/4 corner of Section 19, T15N, R3W, Denver Township, Isabella County, Michigan; thence S 89°39'45" E 1097.14 feet along the south line of said Section 19 (also being the centerline of East Beal City Road, 66 feet wide); thence N 00°20'15" E 554.50 feet; thence S 89°39'45" E 37.50 feet; thence N 00°20'15" E 15.00 feet to the POINT OF BEGINNING:

thence N 89°39'45" W 75.00 feet;
thence N 00°20'15" E 75.00 feet;
thence S 89°39'45" E 75.00 feet;
thence S 00°20'15" W 75.00 feet to the POINT OF BEGINNING; being a part of the Southeast 1/4 of Section 19, T15N, R3W, Denver Township, Isabella County, Michigan; containing 5.625 square feet or 0.129 acres of land, more or less; and subject to easements and restrictions of record, if any.

LEGAL DESCRIPTION OF ACCESS AND UTILITY EASEMENT

A 30 foot wide easement for ingress, egress and public utilities, the centerline of said easement is described as follows:

Commencing at the South 1/4 corner of Section 19, T15N, R3W, Denver Township, Isabella County, Michigan; thence S 89°39'45" E 1097.14 feet along the south line of said Section 19 (also being the centerline of East Beal City Road, 66 feet wide) to the POINT OF BEGINNING:

thence N 00°20'15" E 554.50 feet;
thence S 89°39'45" E 37.50 feet to the POINT OF ENDING; being a part of the Southwest 1/4 of Section 19, T15N, R3W, Denver Township, Isabella County, Michigan, except any part taken, deeded or used for public road purposes; and subject to easements and restrictions of record, if any.

PROPERTY DESCRIPTION

(Taken from Title Commitment)

Situated in the Township of Denver, Isabella County, State of Michigan:

The West 1/2 of the Southeast 1/4 and the West 1/2 of the East 1/2 of the Southeast 1/4 of Section 19, Township 15 North, Range 3 West, Except that part lying South and East of the centerline of former railroad right of way, Denver Township, Isabella County, Michigan.

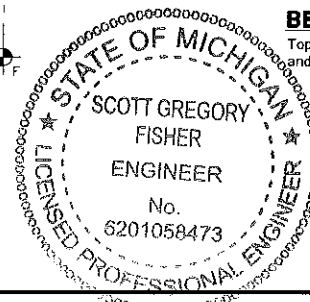
Being the same property conveyed to Judy Moeggenberg and Keith Moeggenberg, husband and wife, grantee, from Eleanor Moeggenberg, a/k/a Eleanor Moeggenberg, a single woman, survivor of herself and Paul E. Moeggenberg, deceased, grantor, by quit claim deed recorded 06/25/2012, in Book 1594, Page 281, of the Isabella County Records.

NOTES

1. Rotate all bearings 00°14'21" counter-clockwise to obtain bearings based on True North as determined from global positioning system (GPS).
2. This site is not located in a flood area (zone x) per Flood Insurance Rate Map number 26073C0215D, effective date February 05, 2014.
3. This site plan is based on the survey of the existing conditions conducted by Midwestern Consulting, LLC on 02-03-2020.

BENCH MARK

Top of spike set as control point #1 located along south side of East Beal City Road and west of existing access drive.
Elevation: 744.21 (NAVD 88 Datum)



PREPARED BY:
MIDWESTERN CONSULTING, LLC.

SCOTT G. FISHER P.E. #58473



SKYWAY TOWERS
verizon

SITE #MI-09625
VZW SITE #6835
"ROSEBUSH SOUTHEAST"

DENVER TOWNSHIP
ISABELLA COUNTY
MICHIGAN

REV.	DATE	DESCRIPTION
1	04/10/24	UPDATE COMPOUND LAYOUT

MIDWESTERN
CONSULTING

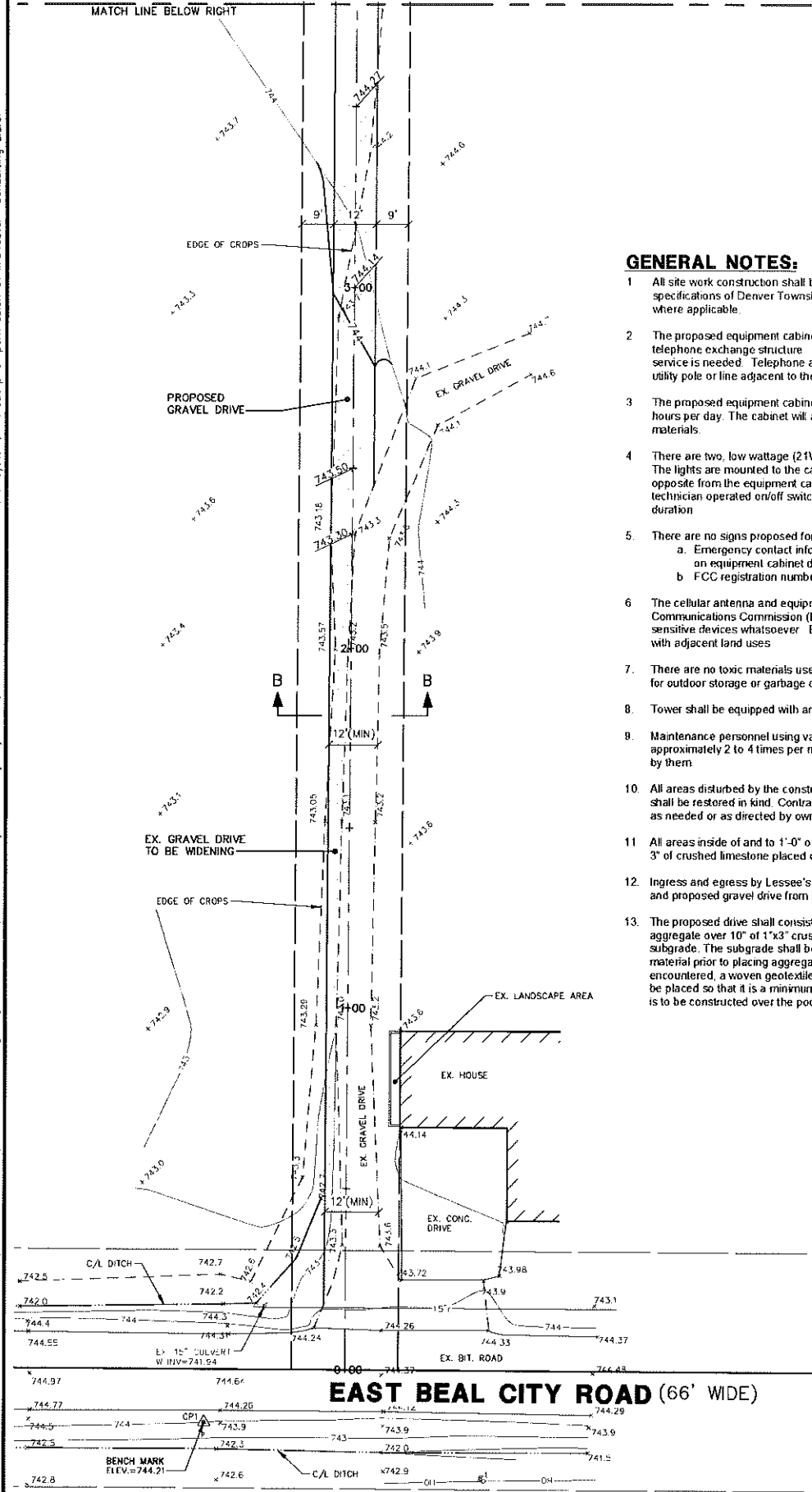
384 Plaza Drive
Ann Arbor, Michigan 48106
www.midwesternconsulting.com
Land Development • Land Survey
Infrastructure • Municipal
Wireless Communications
Transportation • Landfill Services

JOB No. 15154-09625
DATE: 11/02/23
CADD: BLF
ENG: SCF
PM: SCF
TECH: KMW
FILE: 15154-MID09625-SP1
FBA: 55227

**SITE SURVEY,
GENERAL
INFORMATION**

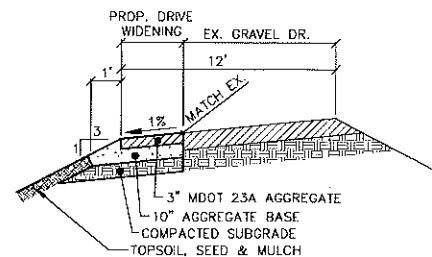
1

SHEET 1 OF 2

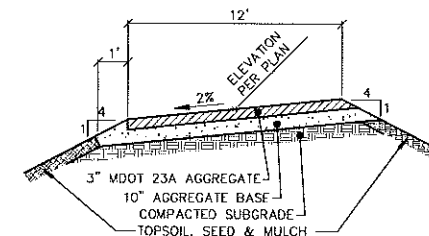


GENERAL NOTES:

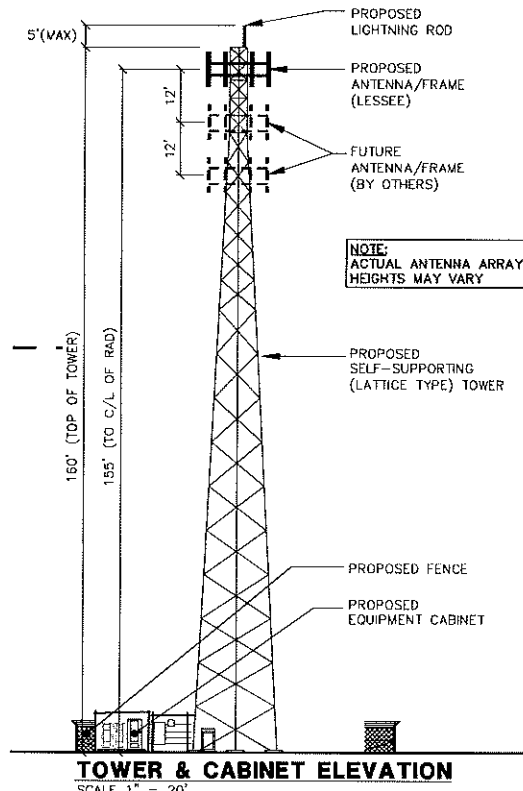
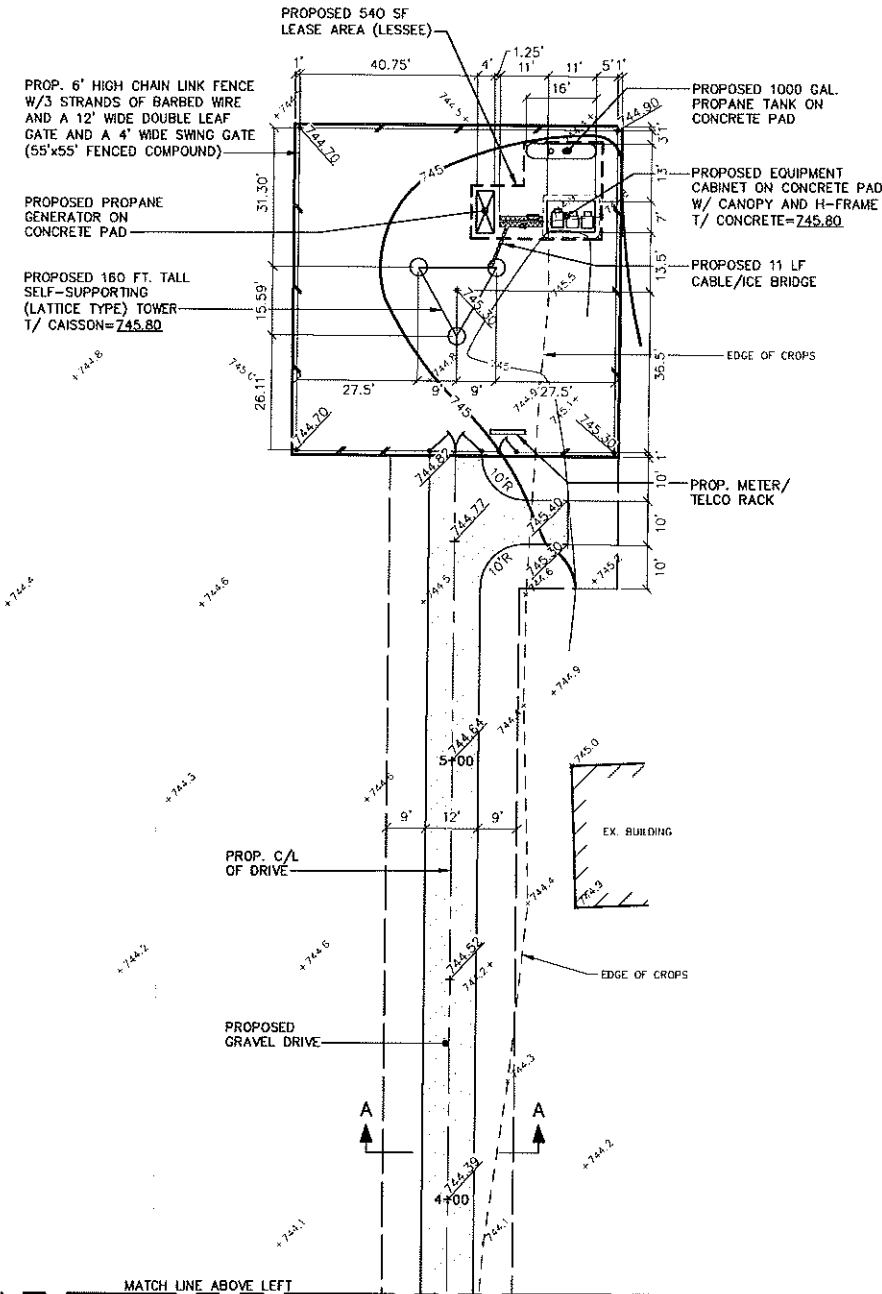
- All site work construction shall be in accordance with the current standards and specifications of Denver Township and the Isabella County Road Commission, where applicable.
- The proposed equipment cabinet is to be a computerized, unmanned, telephone exchange structure. No water service, sanitary facilities or gas service is needed. Telephone and electrical services will be from an existing utility pole or line adjacent to the site.
- The proposed equipment cabinet is to have security systems monitored 24 hours per day. The cabinet will also be constructed with bullet resistant materials.
- There are two, low wattage (21W), LED lights proposed as part of this project. The lights are mounted to the canopy support posts, under the canopy opposite from the equipment cabinets. Lights shall be connected to a technician operated on/off switch with a timer with a one-hour maximum lit duration.
- There are no signs proposed for this project except for:
 - Emergency contact information purposes and FCC "call" sign placed on equipment cabinet door,
 - FCC registration number located on fence gate.
- The cellular antenna and equipment cabinet will be approved by the Federal Communications Commission (FCC) and will not impact any frequency sensitive devices whatsoever. Buyer warrants no adverse radio interference with adjacent land uses.
- There are no toxic materials used by Lessee on the site. Lessee has no need for outdoor storage or garbage disposal and pick-up.
- Tower shall be equipped with an anti climbing device.
- Maintenance personnel using van type service vehicles enter and exit the site approximately 2 to 4 times per month. No loading or unloading area is needed by them.
- All areas disturbed by the construction of the tower and cabinets and driveway shall be restored in kind. Contractor is to provide soil erosion control measures as needed or as directed by owner or government agency having jurisdiction.
- All areas inside of and to 1'-0" outside of the fenced area shall be covered with 3" of crushed limestone placed over "Tytar" landscape fabric.
- Ingress and egress by Lessee's personnel to the site shall be via an existing and proposed gravel drive from East Beal City Road.
- The proposed drive shall consist of 3" of MDOT Class 23A crushed limestone aggregate over 10" of 1"x3" crushed concrete or slag over compacted subgrade. The subgrade shall be stripped free of all topsoil and organic material prior to placing aggregate base. Where poor subgrade soils are encountered, a woven geotextile fabric (Mirafi 500X or approved equal) shall be placed so that it is a minimum of 2 ft. wider and longer than the drive which is to be constructed over the poor soils.



GRAVEL DRIVE CROSS SECTION B-B
NOT TO SCALE

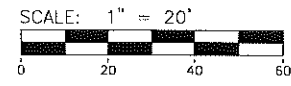


GRAVEL DRIVE CROSS SECTION A-A
NOT TO SCALE



LEGEND

---	EXIST. CONTOUR
- - -	PROP. CONTOUR
+	EXIST. SPOT ELEVATION
x	PROP. SPOT ELEVATION
U.P.	EXIST. UTILITY POLE
DH	EXIST. OVERHEAD UTILITY LINE
C/L	C/L OF DITCH
POST	TELEPHONE RISER POST
FENCE	FENCE
SECTION CORNER	SECTION CORNER
FOUND MONUMENT	FOUND MONUMENT
CONTROL PT.	CONTROL PT.



SITE #MI-09625
VZW SITE #6835
"ROSEBUSH SOUTHEAST"

DENVER TOWNSHIP
ISABELLA COUNTY
MICHIGAN

MIDWESTERN CONSULTING

3815 Plaza Drive
Ann Arbor, Michigan 48108
(734) 995-0228
www.midwesternconsulting.com
Land Development, Land Survey
Wireless Communications
Transportation • Landfill Services

JOB No. 15154-09625

DATE: 11/02/23
CADD: BLF
ENG: SGF
PM: SGF
TECH: KMW
FILE: 15154_MI09625-SPT
FB#: 55227

SITE PLAN
DETAIL

2

SHEET 2 OF 2



SKYWAY TOWERS
3837 MADACI LANE
SOUTHFIELD, MI 48075
(813) 960-4213

CELCO PARTNERSHIP
29920 N. WILSON HWY.
SOUTHFIELD, MI 48075
(248) 915-3000

Zoning Ordinance Responses

Communication Towers and Antennas (01-02 Eff. October 4, 2001)

1. Communication Towers and Antennas are permitted by special use in AG- 1, AG-2, AG-3, C-1, C-2, I-1 and R-2 districts.

The proposed tower is located in the AG-1 district

2. All applications for new Communication Towers and for Collocation shall be processed per the specific requirements of the Michigan Zoning Enabling Act (P.A. 110 of 2006, as amended). (12-01 Eff. September 3, 2012)

Noted

3. The applicant shall provide evidence that there is no reasonable or suitable alternative for collocation of antennas on an existing communication tower within the service area of the proposed tower.

Please see the attached tower map showing the nearest tower to the proposed is 2.28 miles away.

4. The applicant shall provide an inventory of its existing towers, antennas, or sites approved for towers or antennas, that are either within Isabella County or within one (1) mile of the border thereof, including specific information about the location, height and design of each tower. The planning commission may share such information with other applicants applying for approval under this ordinance or other organizations seeking to locate antennas within Isabella County, provided, however that the planning commission is not, by sharing such information, in any way representing or warranting that such sites are available or suitable.

Skyway Towers has no other towers in Isabella County.

5. All towers and antennas shall be located so that they do not interfere with reception in nearby residential areas. In the event a communication tower causes interference, the communication company shall take all steps necessary to correct and eliminate such interference.

This requirement will be met. The facility will adhere to all FCC rules and regulations which prohibit interference with nearby signals and receptors.

6. No new communication tower or antenna shall be located within a three (3) mile radius of an existing communication tower or antenna. This requirement may be waived by the planning commission if one of the following conditions are met:

- a. The proposed communication facility is located on an existing communication tower.
- b. The communication tower is to serve solely a governmental or educational institution.

We have been granted a variance for this requirement on 7/17/24 by the Isabella County ZBA.

7. No communication tower or antenna shall be located closer than five hundred (500) feet from a residential use or a residentially zoned property. This requirement may be waived by the planning commission if one of the following conditions are met: (16-02 Eff. February 16, 2016)
 - a. The proposed communication facility is located on an existing communication tower.
 - b. The communication tower is to serve solely a governmental or educational institution.

This requirement is met. The tower will be located 514' from the nearest residence.

8. No communication tower and antenna shall be greater than two hundred (200) feet in height, except if in the opinion of the planning commission, the applicant has sufficiently demonstrated that a proposed communication tower in excess of two hundred (200) feet will reduce the total number of potential communication towers in the area.

This requirement is met. The proposed tower will be 160-feet tall with a 5-foot lightning rod.

9. The tower base shall be setback, a distance equal to one and a half (1 1/2) times the height of the tower, except in the case that the planning commission has determined the applicant has provided sufficient evidence justifying a reduction in the setback requirement. All other buildings or structures shall meet the minimum setback requirements of the zoning district. (16-02 Eff. February 16, 2016)

This requirement is met. The proposed tower will be over 607-feet from any adjoining lot line.

10. The applicant shall provide verification with a certified sealed print that the antenna and the communication tower have been reviewed and approved by a professional engineer and that the proposed installation is in compliance with all the applicable codes.

Please see the attached Paynesville Engineer Design Letter.

11. The applicant shall provide the legal description of the parent parcel and any leased parcels.

Please see the attached site plans for all legal descriptions.

12. A security fence at least six (6) feet in height, but not more than ten (10) feet, shall be constructed around the tower and any other related apparatuses (i.e., ground antennas, satellite dishes, accessory structures).

This requirement is met. The proposed site will have a 6-foot chainlink fence with 3 strands of barbed wire. The tower height will be less than 10 feet.

13. The planning commission may require a ten (10) foot wide buffer of planted material that effectively screens the view of the tower compound.

We are asking for a waiver of this requirement as the site sits over 500' from the right of way. At that distance, the equipment will not be very noticeable to travelers along E. Beal City Road.

14. All communication towers shall be equipped with an anti-climbing device to prevent unauthorized access.

This requirement will be met. The tower will have no rungs for the first 20 feet from the ground. Special equipment is needed to climb the tower to the 20 foot level.

15. No signs, except for warning, or other cautionary signs not to exceed two (2) square feet in area shall be permitted on site.

This requirement will be met.

16. All new communication towers and antennas shall either maintain a galvanized steel finish or, subject to any applicable standards of the Federal Aviation Administration, be painted a neutral color so as to reduce visual obtrusiveness.

This requirement will be met. The proposed tower will be constructed of corrosive resistant galvanized steel.

17. Collocation does not require an additional special use permit or any other zoning approval if the following requirements are met: (12-01 Eff. September 3, 2012)
- a. The existing communication tower or existing communications equipment compound is in compliance with the Isabella County Zoning Ordinance and/or was approved by the Planning Commission or Zoning Administrator.
 - b. The collocation will not increase the overall height of the communication tower by more than 20 feet or 10% of its original height, whichever is greater.
 - c. The collocation will not increase the width of the communication tower by more than the minimum necessary to permit collocation.
 - d. The collocation will not increase the area of the existing communications equipment compound by more than 2500 square feet.
 - e. The collocation complies with the terms and conditions of any previous final approval of the communications tower or equipment compound by the Planning Commission or Zoning Administrator

18. The applicant shall submit details of communication tower lighting approved by the Federal Aviation Administration. All lights shall be restricted to the extent that is required for compliance with Federal Aviation Administration regulations and on-site security.

Lighting will only be provided as required by the FCC. Please see the attached FCC determination.

19. All communication tower permits issued by the Isabella County Planning Commission shall be contingent upon any necessary approval of the Federal Aviation Administration, Federal Communication Commission, State Bureau of Aeronautics/Tall Structures Act and any other applicable state or federal acts.

Please see attached FAA Determination and MI Tall Structures Determination.

20. The applicant shall submit a report or letter from the Federal Aviation Administration that the proposed tower complies with all airport safety requirements for all public and private airports in or within four (4) miles of Isabella County.

Please see attached FAA Determination

21. Communication towers and antennas shall be regulated and permitted pursuant to **Article 12 Section 12.05 (H)** of the Isabella County Zoning Ordinance and shall not be regulated or permitted as essential services, public utilities, or private utilities.

This requirement will be met.

22. Any communication tower which becomes abandoned or discontinued for a period of twelve (12) months shall be required to be removed immediately by the owner and/or lessee. Abandonment or discontinuance shall be determined when any of the following conditions are evident: disconnection of electricity; property, buildings, or grounds that have fallen into disrepair; or the removal of all antennas or support structures.

This requirement will be met

23. The application shall include a description of security to be posed at the time of receiving a building permit for the communication tower to ensure removal of the communication tower when it has been abandoned or is no longer needed. In this regard, a \$15,000 security shall, at the election of the applicant, be in the form of cash; or surety bond; establishing a promise of the applicant and owner of the property to timely remove the communication tower as required under this section of the ordinance, with the further provision that the applicant and owner shall be responsible for the payment of any costs and attorneys' fees incurred by the community in securing removal.

This requirement will be met. Skyway will provide a surety bond in the amount of \$15,000 for the timely removal of the tower.

Michigan Tall Structures Permit

Carrie Torrey

From: MDOT_Tall_Structures <MDOT_Tall_Structures@michigan.gov>
Sent: Thursday, November 30, 2023 12:21 PM
To: operations
Subject: Michigan Tall Structure: ASN 2023-AGL-22753-OE

Applicant –

The Office of Aeronautics has received notification concerning a proposal which may affect Michigan airspace.

The Michigan 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.

Our preliminary review of the FAA 7460-1 determined that a Michigan Tall Structure permit may not be required for this study. If you would like our office to conduct a full aeronautical study, you may request an application package via email.

Please contact me with the aeronautical study number if you have any questions or concerns.

Thank you,

Tall Structures
Airspace and Emerging Aviation Systems
Kelly: 517-242-2362
Hilary: 517-242-2494

MDOT_Tall_Structures@michigan.gov
www.michigan.gov/aero



FAA Determination of No Hazard



Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2023-AGL-22753-OE

Incls VzW CBands

Issued Date: 12/06/2023

Operations
Skyway Towers, LLC
3637 Madaca Lane
Tampa, FL 33618

**** 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 MI-09625 Rosebush SE
Location: Mt. Pleasant, MI
Latitude: 43-40-17.40N NAD 83
Longitude: 84-42-50.00W
Heights: 745 feet site elevation (SE)
165 feet above ground level (AGL)
910 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:

Emissions from this site must be in compliance with the parameters set by collaboration between the FAA and telecommunications companies and reflected in the FAA 5G C band compatibility evaluation process (such as power, frequencies, and tilt angle). Operational use of this frequency band is not objectionable provided the Wireless Providers (WP) obtain and adhere to the parameters established by the FAA 5G C band compatibility evaluation process. **Failure to comply with this condition will void this determination of no hazard.**

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)
☒ Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 M.

This determination expires on 06/06/2025 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 of No Hazard is granted provided the following conditional statement is included in the proponent's construction permit or license to radiate:

Upon receipt of notification from the Federal Communications Commission that harmful interference is being caused by the licensee's (permittee's) transmitter, the licensee (permittee) shall either immediately reduce the power to the point of no interference, cease operation, or take such immediate corrective action as is necessary to eliminate the harmful interference. This condition expires after 1 year of interference-free operation.

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-22753-OE.

Signature Control No: 605548467-606492985

(DNE)

Natalie Schmalbeck
Technician

Attachment(s)
Additional Information
Frequency Data
Map(s)

cc: FCC

Additional information for ASN 2023-AGL-22753-OE

The FAA recognizes emissions in 3.7-3.98 GHz at this location will result in Electromagnetic Interference (EMI) as described in Airworthiness Directives (AD) 2021-23-12 and 2021-23-13. NAS services including airport and helicopter operations within a radius of 42 NM will be impacted by 5G RF emissions. Operational use of this frequency band is not objectionable provided the Wireless Providers obtain and adhere to the parameters established by the FAA 5G C band compatibility evaluation process.

Frequency Data for ASN 2023-AGL-22753-OE

LOW FREQUENCY	HIGH FREQUENCY	FREQUENCY UNIT	ERP	ERP UNIT
6	7	GHz	42	dBW
6	7	GHz	55	dBW
10	11.7	GHz	55	dBW
10	11.7	GHz	42	dBW
17.7	19.7	GHz	42	dBW
17.7	19.7	GHz	55	dBW
21.2	23.6	GHz	55	dBW
21.2	23.6	GHz	42	dBW
614	698	MHz	1000	W
614	698	MHz	2000	W
698	806	MHz	1000	W
806	901	MHz	500	W
806	824	MHz	500	W
824	849	MHz	500	W
851	866	MHz	500	W
869	894	MHz	500	W
896	901	MHz	500	W
901	902	MHz	7	W
929	932	MHz	3500	W
930	931	MHz	3500	W
931	932	MHz	3500	W
932	932.5	MHz	17	dBW
935	940	MHz	1000	W
940	941	MHz	3500	W
1670	1675	MHz	500	W
1710	1755	MHz	500	W
1850	1910	MHz	1640	W
1850	1990	MHz	1640	W
1930	1990	MHz	1640	W
1990	2025	MHz	500	W
2110	2200	MHz	500	W
2305	2360	MHz	2000	W
2305	2310	MHz	2000	W
2345	2360	MHz	2000	W
2496	2690	MHz	500	W
3550	3700	MHz	47	dBm
3700	3980	MHz	1640	W
3700	3980	MHz	3280	W
27500	28350	MHz	75	dBm
29100	29250	MHz	75	dBm
31000	31225	MHz	75	dBm
31225	31300	MHz	75	dBm

38600

40000

MHz

75

dBm



Letter from Tower Engineer

Michael F. Plahovinsak, P.E.

18301 State Route 161, Plain City, Ohio 43064
(614) 398-6250 • mike@mfpeng.com

April 9, 2024

Skyway Towers
3637 Madaca Lane
Tampa, FL 33618

Re: Proposed 260-ft Self Support Tower
Located in Jefferson Co., IN: Site #IN-03136 - Paynesville
MFP #30324-012 / 38°37'14.99", -85°29'53.97"

I understand that there may be some concern on the part of local building officials regarding the potential for failure of the proposed communication tower. Communication structures are designed in accordance with the Telecommunications Industry Association ANSI/TIA-222-G, "Structural Standards for Steel Antenna Towers and Antenna Supporting Structures".

I will design this tower to support (4) wireless carriers and withstand a 3-second gust wind speed of 89 mph (V_{asd}) in accordance with ANSI/TIA-222-G for Jefferson County. *The design will also conform to the requirements of the 2012 International Building Code for an equivalent ultimate wind speed of 115 mph (V_{ult}).*

The structure will be designed with all of the applicable factors as required by the code.

I hope this review of the tower design has given you a greater degree of comfort regarding the design capacity inherent in communication structures. If you have any additional questions please call me at 614-398-6250 or email mike@mfpeng.com.

Sincerely,



Michael F. Plahovinsak, P.E.
Professional Engineer



Michael Plahovinsak 2024.04.09 12:53:00 -04'00'

Letter from Verizon RF Engineer



Statement of Network Need for a New Communications Tower
Joel Sherman, RF Engineer

1. My name is Joel Sherman and I am a radio frequency (RF) engineer for Verizon Wireless ("Verizon"). I have been employed with Verizon for 25 years and as an RF engineer for the past six years.
2. The primary duties of my job as an RF engineer include the design and management of Verizon's wireless communications network in its Michigan/Indiana/Kentucky Market, which includes the area in and around Rosebush and Mt Pleasant, Michigan. In this role, I am also responsible for identifying and correcting substantial service gaps that present themselves in Verizon's wireless network. These service gaps can be caused by lack of coverage or insufficient system capacity, or both. Service gaps are identified through the use of internal Verizon network monitoring tools and analysis showing the capacity and/or coverage need in a particular area.
3. In the course of my employment at Verizon, I have become aware of a significant capacity need in Verizon's wireless communications network in the rural area southeast of Rosebush (the "Gap Area") just east of Verizon's Beal City cell site. Specifically, the Beal City site is at or near capacity, which means it can no longer provide adequate service to the surrounding area. As a result of this significant capacity need, Verizon customers using their devices in and around the Gap Area are likely to experience diminished call quality, slow and unreliable data transmission speeds, call drops, and blocked calls. Verizon's capacity need in the Gap Area has increased in severity over the last several years.
4. This significant service gap will remain and cannot be resolved unless a communications tower is constructed within the Gap Area. This new communications site will allow Verizon to offload traffic from the Beal City site, which will alleviate the significant capacity need noted above. Verizon must remedy this service gap in order to provide high-speed wireless broadband access to the communities in and around the southeast Rosebush area, to fill in coverage gaps where wireless services are not reliable, and to provide enhanced E911 services.
5. Verizon identified a search area in which a tower would need to be located in order to resolve the service gap. Before proposing a new communications tower, Verizon first considered whether any existing towers in the area could be used to resolve the coverage gap in the Gap Area. There are no other existing towers in the search area on which Verizon could collocate its communications equipment to resolve the service gap. For this reason, Skyway Towers began looking for available properties in the search area that would be suitable for a tower.
6. Verizon and Skyway Towers have worked together to identify a property in the Gap Area that could accommodate a communications tower to correct the significant service gap in

Verizon's wireless communications network. Skyway Towers has proposed to build a new tower at 6707 East Beal City Road Mt Pleasant, Michigan ("Proposed Tower").

7. By co-locating its communications equipment on the Proposed Tower, Verizon will resolve the current significant service gap and will be able to provide improved service to residents, businesses, and emergency service providers in and around the Gap Area. If Skyway Towers is unable to construct the new telecommunications tower, and Verizon is therefore unable to collocate its equipment on the proposed tower, the significant service gap in Verizon's wireless communications network will remain, and Verizon will be prohibited from providing reliable wireless service to its customers in the Gap Area.

Dated this 9th day of May, 2024

Joel Sherman

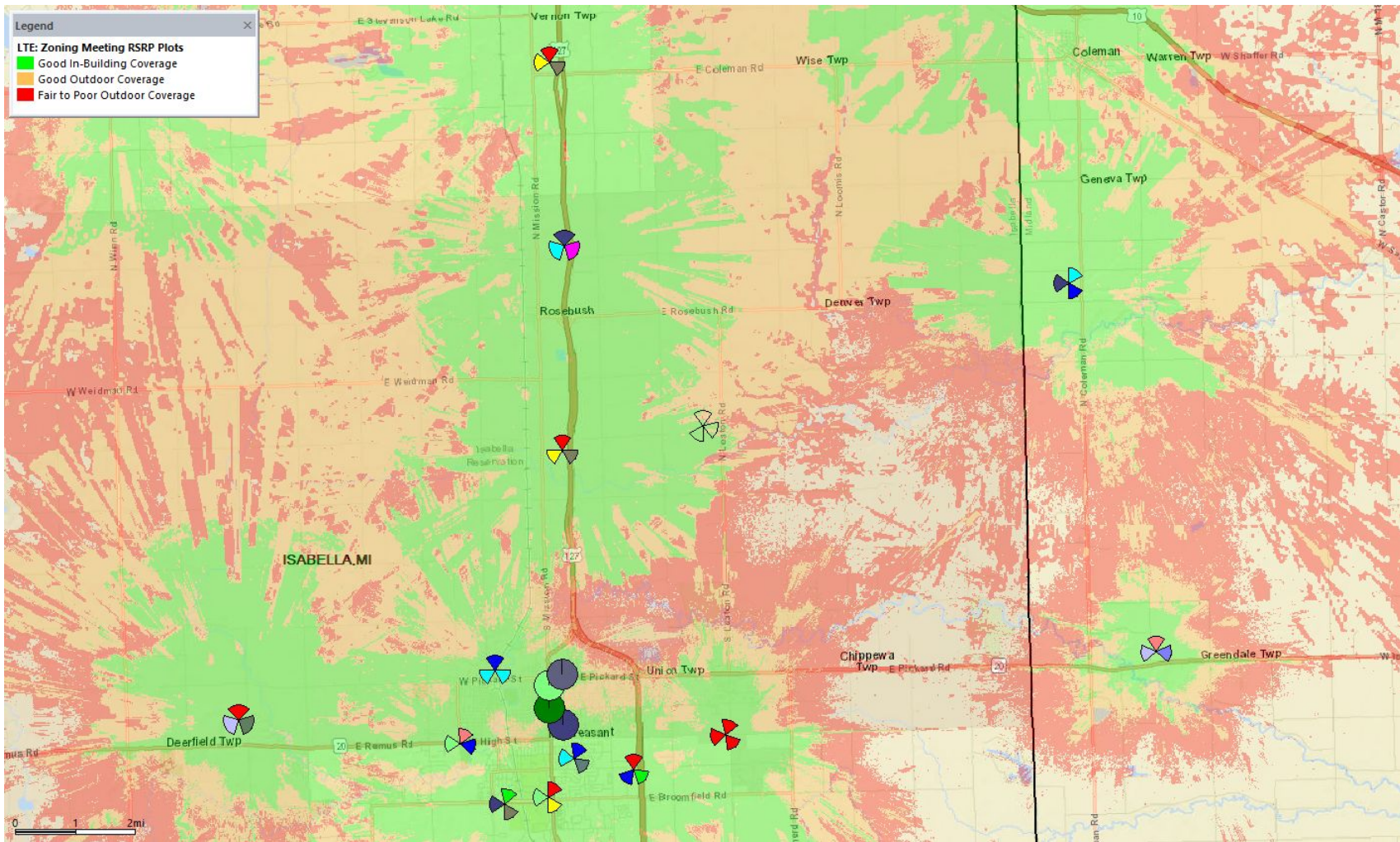
Joel Sherman
RF Engineer
Verizon

ROSEBUSH SOUTHEAST

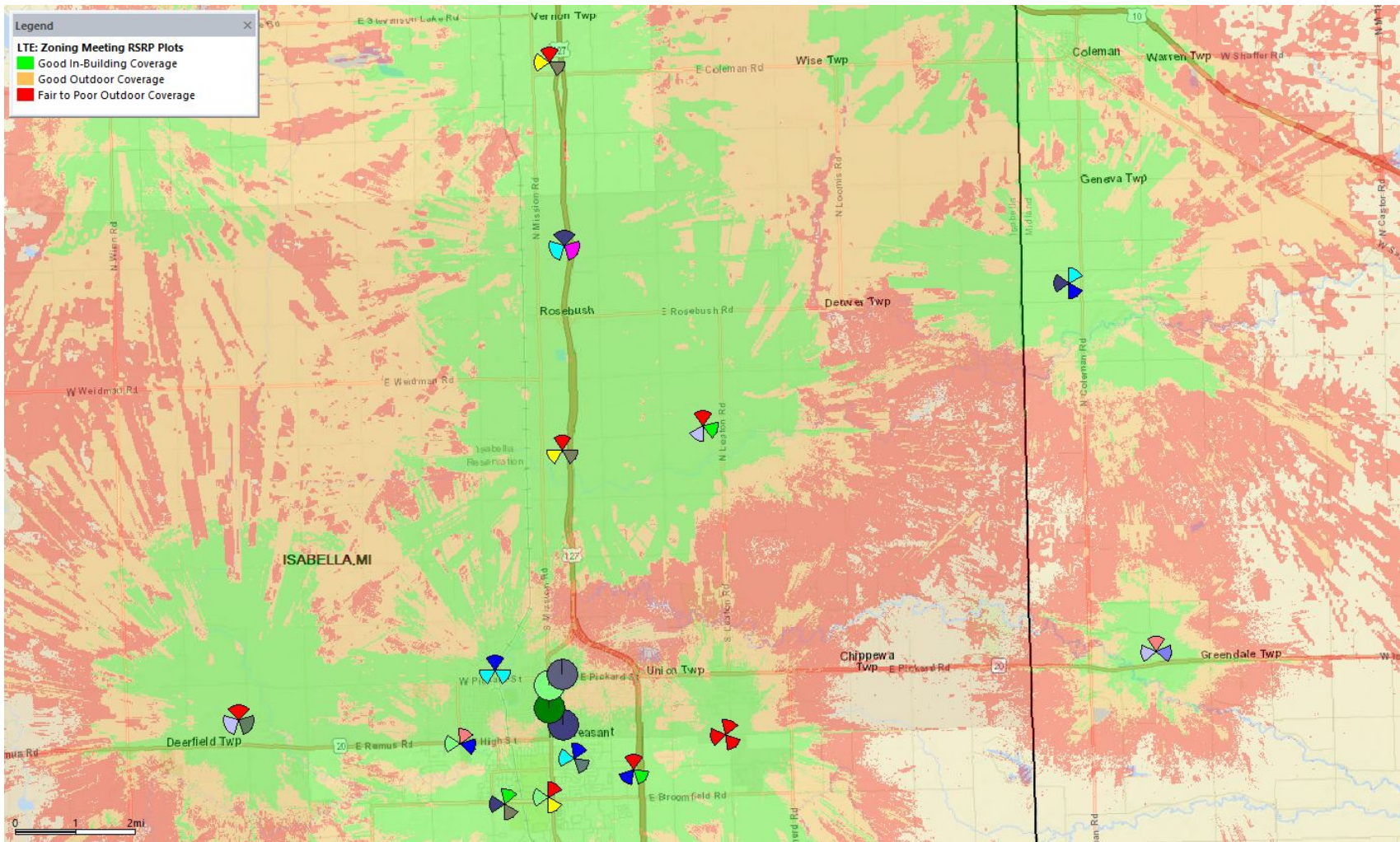
Building #6835 Fuze #2153674
43.6715 -84.71388889
For Zoning Hearing

RFE Notes

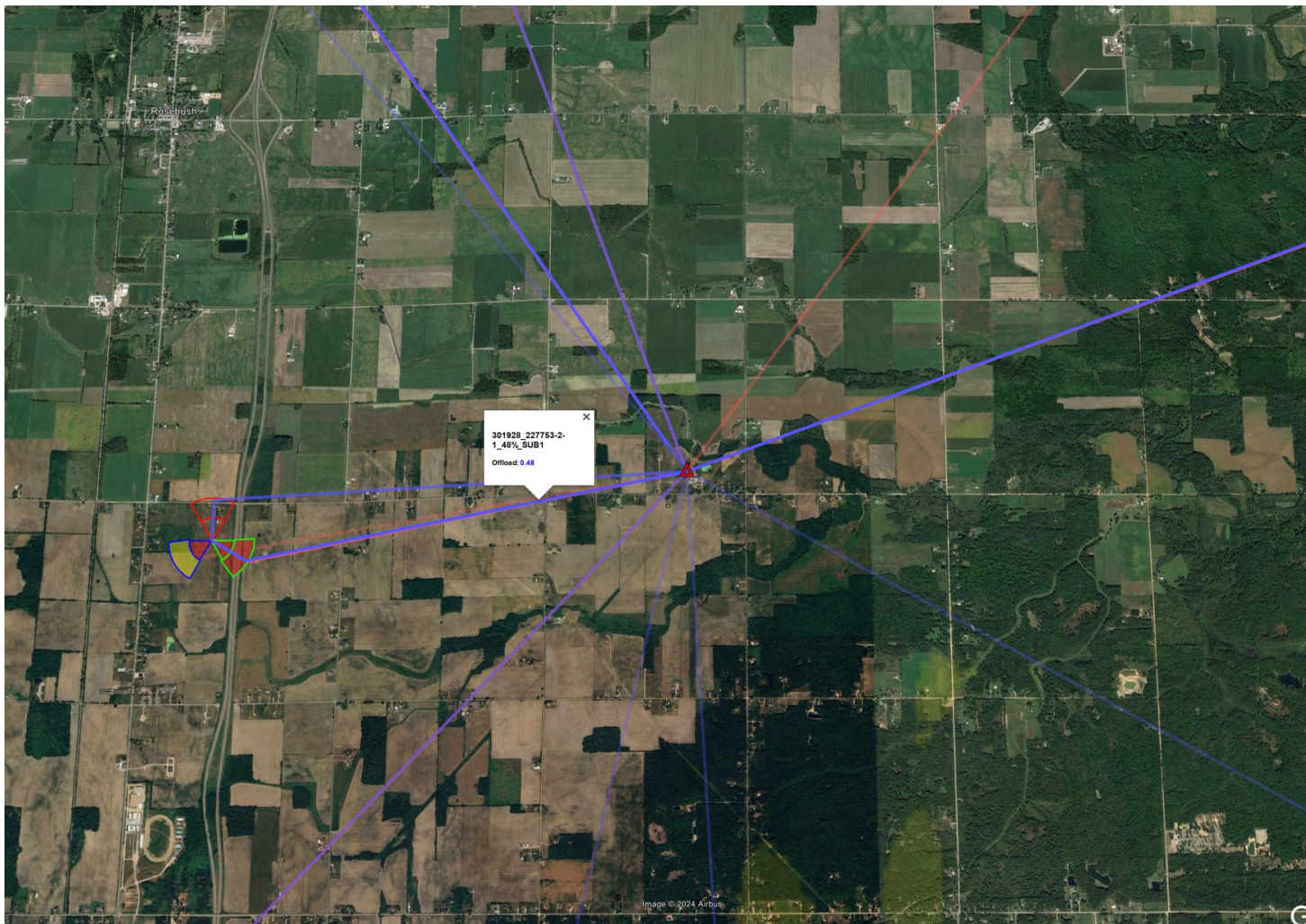
- Centerline = 155'
 - Verizon currently has limited or no service South East of Rosebush
- Azimuths = 0° - 110° - 210°
- Antennas = JMA MX06FHG865 8'



Current
coverage



Proposed
coverage



Rosebush Southeast is predicted to offload Beal City traffic by almost 50%