

**CHARTER TOWNSHIP OF CHESTERFIELD
PLANNING COMMISSION**

July 28, 2015

A regular meeting of the Charter Township of Chesterfield Planning Commission was held on Tuesday, July 28, 2015 at 7:00 P.M. at the Township Hall located at 47275 Sugarbush, Chesterfield MI 48047.

1. CALL TO ORDER:

Mr. Miller called the meeting to order at 7:00 P.M.

2. ROLL CALL:

Present: Paul Miller
Joe Stabile
Rick LaBelle
Brian Scott DeMuynck
Carl Leonard
Ray Saelens
Jerry Alexie
Frank Eckenrode

Absent: James Moran, *excused*

Others: Patrick Meagher, Community Planning & Management
John Palin, Community Planning & Management

3. APPROVAL OF THE AGENDA

Motion by Mr. Miller to approve the agenda

Supported by Mr. Saelens

Ayes: All

Nays: None

Motion Carried

4. SUB COMMITTEE REPORT (Committee will report on items under Review)

5. **PUBLIC HEARINGS:**

6. **REVIEWS:**

A. **SPECIAL LAND USE #2015-09: Gary Gendernalik for Curtis Outdoor Inc., 44 Grandville Ave. S.W. #001, Grand Rapids, MI 49503. Propose to remove 23 Mile Road pylon sign and replacing with "Pure Michigan" monument sign, I-94 sign and a billboard with display area Public Hearing Closed & Tabled on July 14, 2015.**

Mr. LaBelle stated that after much consideration and due diligence, his opinion is in disagreement with the Planner. He stated therefore, he would like to make a motion.

Gary Gendernalik , 52624 Laurel Oak, Chesterfield, addressed the board.

Mr. Gendernalik asked if he could speak at this time?

Mr. LaBelle stated that the Public Hearing was closed on July 14th.

Mr. Meagher stated that the Commission has a motion and they should take care of this.

Mr. Miller stated that they will hear the motion first.

Motion by Mr. LaBelle to deny SLU # 2015-09 for Curtis Outdoor Inc. billboard sign along I-94 based on the following reasons. He stated that the proposal does not meet the Zoning Ordinance as stated in the Planner's review item number 1. He explained that the billboard does not meet the 50 foot setback from the freeway right-of-way, or the 500 foot setback from the Zoning District boundary. He further stated that the applicant has not shown that they meet the criteria of Section 9 for a variance, particularly:

1. The size, shape and topography of the property do not meet the requirements, and are not unique.
2. Enforcement of the ordinance would serve a useful purpose in preventing more light and visual clutter or disturbance to the already commercialized area with residential across the freeway.
3. The impacts of the billboard on the residential could impact the values and welfare of the homeowners across I-94.
4. The ordinance is designed to protect the health, safety and welfare of the residents. If this would damage property values and potential safety on I-94 due to clutter, it would not be in the best interest of the Township to approve this.

Supported by Mr. Saelens

Ayes: All

Nays: None

Motion Carried

Mr. Gendernalik stated that he wanted to hand out a fact sheet on the lighting. He handed the sheet of paper to the Commission members. He then stated procedurally, this question is addressed to either the Chairman or the Planner. He asked if they still have the right to go to the ZBA notwithstanding the negative recommendation? He asked if he was correct?

Mr. Meagher stated that he believed the applicant still had the right to bring the petition to the ZBA.

B. SIGN REVIEW #2015-57: Jordan Friesen, 6001 Nimtz Parkway, South Bend, IN 46628. Proposed revision to new wall sign located at 47187 Gratiot for “Advanced Auto Parts” Tabled July 14, 2015.

Mr. LaBelle stated that the new proposed sign does meet the Township criteria.

Motion by Mr. LaBelle to approve Sign # 2015-57

Supported by Alexie

Ayes: All

Nays: None

Motion Carried

C. SIGN REVIEW #2015-61: Attitude & Experience Inc., 1230 M-37 South, Traverse City, MI 49685. Proposed new wall sign for Chesterfield Walmart located at 45400 Marketplace Blvd. Front elevation “Walmart” sign.

Mr. LaBelle stated that the sign does meet the Township ordinance.

Motion by Mr. LaBelle to approve #2015-61

Supported by Mr. Saelens

Ayes: All

Nays: None

Motion Carried

D. SIGN REVIEW #2015-62: Attitude & Experience Inc., 1230 M-37 South, Traverse City, MI 49685. Proposed new wall sign for Chesterfield Walmart located at 45400 Marketplace Blvd. Front elevation “Auto Center” sign.

Mr. LaBelle stated that Walmart is going to remove the Supercenter signage from the building. In the past there was a variance allowing them to have that quantity of signage on the building, being they are removing the Supercenter sign and putting up the Auto Center sign it would still basically be the same amount of signage.

Motion by Mr. LaBelle to approve Sign # 2015-62. He stated that this is the maximum signage for Walmart and they will not approve any more than this.

Supported by Mr. Saelens

Ayes: All

Nays: None

Motion Carried

E. SIGN REVIEW #2015-63: Attitude & Experience Inc., 1230 M-37 South, Traverse City, MI 49685. Proposed panel insert to existing ground sign for Chesterfield Walmart located at 45400 Marketplace Blvd. William Rosso Entrance.

Mr. LaBelle stated that the sign does meet the Township criteria.

Motion by Mr. LaBelle to approve Sign # 2015-63

Supported by Mr. Alexie

Ayes: All

Nays: None

Motion Carried

F. SIGN REVIEW #2015-64: Attitude & Experience Inc., 1230 M-37 South, Traverse City, MI 49685. Proposed panel insert to existing ground sign for the Chesterfield Walmart located at 45400 Marketplace Blvd. Gratiot entrance.

Mr. LaBelle stated that the sign does meet the Township ordinance.

Motion by Mr. LaBelle to approve Sign # 2015-64

Supported by Mr. DeMuyneck

Ayes: All

Nays: None

Motion Carried

- G. SIGN REVIEW #2015-65: Sign Fabricators 43984 Groesbeck, Clinton Twp., MI 48036. Proposed new wall signage for the new Planet Fitness located at 50860 Gratiot. (Old JoAnn's)**

Mr. LaBelle stated that the sign does meet the Township ordinances due to the fact that it is a larger sign but is set more than 200 feet from the road.

Motion by Mr. LaBelle to approve Sign # 2015-65

Supported by Mr. Miller

Ayes: All

Nays: None

Motion Carried

- H. SIGN REVIEW #2015-66: Sign Fabricators, 43984 Groesbeck, Clinton Twp., MI 48036. Proposed panel change on existing ground sign for Planet Fitness located at 50860 Gratiot. Gratiot elevation.**

Mr. LaBelle stated that the sign does meet the Township ordinance.

Motion by Mr. LaBelle to approve Sign # 2015-66

Supported by Mr. Alexie

Ayes: All

Nays: None

Motion Carried

- I. SIGN REVIEW #2015-67: Sign Fabricators, 43984 Groesbeck, Clinton Twp., MI 48036. Proposed panel change on existing ground sign for Planet Fitness located at 50860 Gratiot. 23 Mile road elevation.**

Mr. LaBelle stated that the sign does meet the Township ordinance.

Motion by Mr. LaBelle to approve Sign # 2015-67

Supported by Mr. Stabile

Ayes: All

Nays: None

Motion Carried

- J. **SIGN REVIEW #2015-68: Brandon Jennings for BJ Construction 46385 Continental Drive, Chesterfield MI 48047. Proposed new ground-monument sign at the above address.**

Mr. LaBelle stated that the applicant was missing quite a bit of information for the proposed ground monument sign and he explained to the applicant that he needs to provide the additional information.

Motion by Mr. LaBelle to Table Sign # 2015-68 up to two meetings

Supported by Mr. DeMuyneck

Ayes: All

Nays: None

Motion Carried

- K. **SIGN REVIEW #2015-69: Bill Carr Signs, 719 W. 12th Street. Flint, MI 48503. Proposed new wall sign for “Arby’s” located at 27960 23 Mile Rd. “Arby’s Hat”**

Mr. LaBelle stated that the sign does meet the Township ordinance.

Motion by Mr. LaBelle to approve Sign # 2015-69

Supported by Mr. Saelens

Ayes: All

Nays: None

Motion Carried

- L. **SIGN REVIEW #2015-70: Bill Carr Signs, 719 W. 12th Street. Flint, MI 48503. Proposed new wall sign for “Arby’s” located at 27960 23 Mile Rd. left elevation.**

Mr. LaBelle explained that this sign is just over nine square feet and is less than ½ of the allowable signage on the rear or side of the building. He stated that being that there is an entrance to Lowe's and it is almost like having two road fronts there, so for that reason he was going to make a motion to approve.

Motion by Mr. LaBelle to approve Sign # 2015-70

Supported by Mr. Alexie

Ayes: All

Nays: None

Motion Carried

M. SIGN REVIEW #2015-71: Bill Carr Signs, 719 W. 12th Street, Flint, MI 48503. Proposed pole sign resurface for Arby's at 27960 23 Mile Rd.

Mr. LaBelle stated that he spoke with the applicant and they signed the affidavit understanding the fact that in August of 2016 the new sign ordinance will come into effect and there will have to be a change made and they are fully aware of that fact. They are just requesting a resurface of the sign and have agreed to put the address on the signage.

Motion by Mr. LaBelle to approve Sign # 2015-71

Supported by Mr. Alexie

Ayes: All

Nays: None

Motion Carried

7. APPROVAL OF MINUTES FROM PRIOR MEETINGS:

Motion by Mr. Miller to approve the meeting minutes from July 14, 2015

Supported by Mr. Saelens

Ayes: All

Nays: None

Motion Carried

8. COMMUNICATIONS: Election of Officers

Mr. Miller stated that they must elect a Chair, Co-Chair and a Secretary.

Motion by Mr. Miller to appoint Rick LaBelle as Secretary

Supported by Mr. Saelens

Ayes: All

Nays: None

Motion Carried

Motion by Mr. Alexie to nominate Paul Miller as Chairman

Supported by Mr. Leonard

Ayes: All

Nays: None

Motion Carried

Motion by Mr. Miller to appoint Joe Stabile as Co-Chair

Supported by Mr. Alexie

Ayes: All

Nays: None

Motion Carried

9. OLD BUSINESS:

There was no old business.

- 10. New Business: An ordinance amending the Charter Township of Chesterfield Code of Ordinances, Chapter 76 (Zoning), Article IX (Agricultural and Residential Districts), to amend 76-331 (c) to regulate central air conditioning units and permanent stand-by generators, and repealing all ordinances and/or resolutions in conflict therewith.**

Mr. Meagher suggested that they were looking at the appropriate location for air conditioners and stand-by generators. This would keep the current requirements primarily focused in the rear yard unless there is an extreme practical difficulty whereby the Building Official would then allow the unit to be placed in the side yard

as long as it would be five feet from the property line. He thought tonight they would just be setting the Public Hearing.

Motion by Mr. Miller to set the Public Hearing

Supported by Mr. Saelens

Ayes: All

Nays: None

Motion Carried

11. PLANNERS REPORT:

12. COMMENTS FROM THAT FLOOR PERMITTED BY THE COMMISSION ON AGENDA OR NON-AGENDA MATTERS.

Mr. LaBelle asked for volunteers for the next preplanning meeting on August 11th.

Mr. Saelens stated that he would attend the preplanning meeting.

Mr. Leonard also agreed to attend the meeting.

Mr. Miller stated that he and Mr. Alexie were driving around the Township and they noticed a few of these reader board signs that were not in compliance. He mentioned that on Gratiot alone they noticed the following violations:
Mattress King changed their sign every three to five seconds.
Storage Unit on Gratiot changes their sign every ten seconds.
Clearview Autowash had changes every two to three seconds.
Hamlin Pub changed their sign every ten seconds.
He stated on 23 Mile Road the McDonalds changes their sign about every 60 seconds so they seem to be the only ones in compliance
He stated that BP has a liquor sign that continually blinks

Mr. DeMuyneck asked Mr. Meagher the time period other communities use for change time on reader boards? He asked if the Township should change the ordinance to every 30 seconds?

Mr. Meagher stated that 30 seconds is a very common standard.

Mr. DeMuyneck asked does the Commission want to look at maybe revising that from every minute to every 30 seconds.

Mr. Meagher stated that he could put an amendment together and they could handle it with the same public hearing amendment that was set earlier tonight.

Mr. DeMuynck asked the opinion of the other board members?

Mr. Stabile stated that he had suggested that before.

Mr. Leonard stated that it would be closer to the non-compliance three seconds.

Mr. DeMuynck asked Mr. Meagher what other communities are doing with this?

Mr. Meagher stated that most communities are setting the time at 30 seconds or a minute and not many businesses are following it.

Mr. DeMuynck stated that he thought 30 seconds might work. He mentioned that it was brought up at the board meeting Monday night.

Mr. Meagher suggested that they Set a Public Hearing in conjunction with the one they did earlier to consider modifying it; then they would have one advertisement.

Motion by Mr. Miller to set the Public Hearing to reconsider the time for message changes on electronic reader boards

Supported by Mr. Alexie

Ayes: All

Nays: None

Motion Carried

13. PROPOSALS FOR NEXT AGENDA.

There were no proposals for the next agenda.

14. ADJOURNMENT

Motion by Mr. Miller to adjourn at 7:26 PM

Supported by Mr. Saelens

Ayes: All

Nays: None

Motion Carried

Rick LaBelle, Secretary

Grace Mastronardi, Recording Secretary