

**CHARTER TOWNSHIP OF CHESTERFIELD  
PLANNING COMMISSION**

**October 13, 2015**

A regular meeting of the Charter Township of Chesterfield Planning Commission was held on Tuesday, October 13, 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: Brian Scott DeMuyneck  
Frank Eckenrode  
Carl Leonard  
Paul Miller  
Rick LaBelle  
Joe Stabile  
Jerry Alexie  
Ray Saelens  
James Moran

Absent:

Others: Patrick Meagher, Community Planning & Management  
Robert Siebert, Township Attorney

**3. APPROVAL OF THE AGENDA**

**Motion by** Mr. Miller to approve the agenda with the change of moving # 9 Old business petition #2015-13 to #5A

**Supported by** Mr. Moran

**Ayes:** All

**Nays:** None

**Motion Carried**

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

**5. PUBLIC HEARINGS:**

- A. ZBA PETITION #2015-13: Gary Gendernalik for Mark Babich & Curtis Outdoor Inc. 24001 Greater Mack Ave, St. Clair Shores, MI 48080. Request Is to appeal the denial made to Special Land Use #2015-09, a request to the Planning Commission to replace existing pylon sign with frontage on I-94, With a Billboard display sign, also variance for setbacks and zoning District located on the west side of I-94, 1,000 foot south of 23 Mile Road. Referred back to Planning Commission for further review.**

Mr. Gendernalik spoke on behalf of Curtis outdoor Inc.. He stated that they were here previously and had also gone before the ZBA board and they are requesting that the board reconsider their petition to remove the existing pylon sign and replace it with a Billboard display sign with LED Lights.

Mr. Gendernalik provided several images from the Macomb County DIS group from spring of 2012 showing the parcel at the I-94 interchange. It provided an image of the existing pylon sign that they are proposing to remove and replace with a new low level Billboard sign. The images provided several different views of the area so the board could get a better idea of the location of the sign and the areas around the sign. He also provided a detailed site plan that the engineers had put together showing the sign would be 10ft off the MDOT right of way. It also provided an overall view. The submission showed the dimensions of the sign. It's 25ft high and 300sq feet. Which meets the Township ordinance requirements of 25ft high and 350sq feet. He also provided several color coded maps of the M1 and M2 district as it pertains to the sign location. He also showed images of signs that have LED lighting as well as ones that don't have LED lighting.

Mr. Saelens asked how many nits of light it would be at night?

Mr. Kausmeier responded that it would be 800 nits at night.

Mr. Saelens stated that the outdoor advertisement association of America suggests 300 nits at night and the Illuminating Engineering Society of North America suggests 250 nits at night.

Mr. Kausmeier stated that they could work with the 300 nits instead.

Mr. Saelens asked about day time nits

Mr. Kausmeier responded that day time nits are typically 7,000. He stated that he is talking about maximum illumination with these numbers. The sign would be set for the illuminations to go up and down based on various weather conditions like fog.

Mr. Meagher asked if 300 nits at night and 7,000 nits during the day would be the maximum?

Mr. Kausmeier responded yes

Mr. Gendernalik provided a photocell fact sheet with a chart that showed the relationship between outdoor lighting conditions and sign brightness. He also provided a picture of where the proposed sign would be sitting.

Mr. Alexie asked if it was close to the excel oration line to get on the freeway?

Mr. Gendernalik replied yes. He showed where the onramp was located on the image and pointed to show where it turns into three lanes. He stated that the sign would be at the end of the entrance ramp.

Mr. Saelens stated that the lane is then the travel lane.

Mr. Gendernalik agreed. He then showed a close up illustration showing the location of Dick's and the retention pond. He stated that there will be new shrubbery put in. Also, you can get permission from MDOT to maintain there right of way. He said that if it gets approved they will go to MDOT to get permission to maintain the area.

Mr. DeMuyneck wanted to confirm that it would be between the ditch and the fence not between the road way and fence

Mr. Gendernalik stated that he was correct.

Mr. Gendernalik stated that he did read the comments from Mr. Meagher about how outdoor signs should not have changing illuminations. In response to that he brought up some examples of changing illumination signs in the area. He also made reference to the building ordinance that states you can have a changing message every 30 seconds. He also made the point that it goes in conjunction with the zoning specifications.

There was discussion between the board and Mr. Gendernalik in regards to the regulations of the ordinance as it pertains to the proposed pylon sign.

Mr. Carll addressed the board. He stated that the intent is to remove the current pylon sign and replace it with the new sign. They are more than willing to work with staff in regards to landscaping the site.

The board disguised the dimensions of the current sign that is there now in comparison with the new sign.

Mr. Carll also stated that these types of sign are great for Amber alerts and would also be available for the Townships use as well. They would offer them 10 weeks out of the year

Mr. DeMuyneck asked who owns the sign

Mr. Carll replied that Curtis Outdoor would own the sign.

Mr. Labelle wanted to make the distinction between an outdoor advertising sign and a pylon sign like other signs in the community. The ordinance on outdoor advertising signs states that the sign cannot contain any changing illumination. It must not exceed 25ft from the ground and 300sq feet. Item K talks about a regular pylon sign and those sign cannot exceed 12ft and has a maximum of 64sq feet.

Mr. Meagher agreed that they are two different types of signs.

There was discussion amongst the board about the change time of the sign

Mr. Carll stated that the sign wouldn't be flashing and the change time would meet state regulations at 30 seconds per change

Mr. Alexie stated that he frequently drives on that freeway and he feels where the sign is going to be with the east side merging on and the west side merging on to the freeway. People trying to read a sign while they're merging onto a freeway could be a big safety hazard. He stated that we would vote against the proposal.

Mr. Kausmeier stated that more than 20 studies have been done and none of them have shown that these signs contribute to any additional accidents. He also wanted to make the point that the illumination level does not change when the message changes.

Mr. Labelle wanted to address Mr. Alexie's concern about the safety of the location of the proposed sign. He doesn't feel the studies done would take into consideration this particular sign being in this specific location.

There was discussion amongst the board members and Mr. Siebert about the motion.

**Motion** by Mr. LaBelle to approve Sign # 2015-85

The particular size, shape or topographical conditions of the property would render compliance with the provisions of this chapter difficult and would likely result in a particular hardship on the owner. Any variance shall be granted only to the extent of rendering equity with the rights granted by this chapter to others with similar uses in similar districts.

Strict enforcement of the provisions of this chapter would serve no useful purpose.

The type of sign structure and the location proposed would not pose a significant risk to the public health, safety and welfare.

The benefit of the sign to the general public and/or applicant under the circumstances outweighs any risk to traffic safety and the township's desire to eliminate the accumulation of visual clutter in accordance with the stated purpose of this chapter.

The sign will allow changing illumination daily

**Supported** by Mr. Leonard to approve petition #2015-13 with the stipulation that the sign cannot change rapidly every 30 seconds. The message can change daily. The illumination must be set at 300 nits at night and 7,000 during the day.

**Ayes: Mr. Moran**  
**Mr. Stabile**  
**Mr. Labelle**  
**Mr. Saelens**  
**Mr. Leonard**  
**Mr. Eckenrode**  
**Mr. DeMuyck**

**Nays: Mr. Miller**  
**Mr. Alexie**

**Motion Carried**

**6. REVIEWS:**

- A. SIGN REVIEW #2015-85: National Illumination & Sign, 6525 Angola Road, Holland, OH 43528. Proposed new front canopy fascia for 7-11 (Mobil Station) located at 33800 23 Mile. Tabled 9-22-15.**

Mr. LaBelle stated that the sign meets the Township Ordinance

**Motion** by Mr. LaBelle to approve Sign # 2015-85

**Supported** by Mr. Moran

**Ayes: All**

**Nays: None**

**Motion Carried**

- B. SIGN REVIEW #2015-86: National Illumination & Sign, 6525 Angola Road, Holland, OH 43528. Proposed new right canopy fascia for 7-11 (Mobil Station) located at 33800 23 Mile. Tabled 9-22-15.**

Mr. Labelle stated that the sign meets the Township Ordinance

**Motion** by Mr. LaBelle to approve Sign # 2015-86

**Supported** by Mr. Saelens

**Ayes: All**

**Nays: None**

**Motion Carried**

- C. SIGN REVIEW #2015-87: National Illumination & Sign, 6525 Angola Road, Holland, OH 43528. Proposed new left canopy fascia for 7-11 (Mobil Station) located at 33800 23 Mile. Tabled 9-22-15.**

Mr. LaBelle stated that the sign meets the Township Ordinance

**Motion** by Mr. LaBelle to approve Sign # 2015-87

**Supported** by DeMuynck

**Ayes: All**

**Nays: None**

**Motion Carried**

- D** **SIGN REVIEW #2015-93: Galaxy Signs, Larry Worden, 36886 Harper, Clinton Twp., MI 48036. Proposed new wall sign located at 50670 Waterside Dr., for Dave's Pizza Buffet**

Mr. LaBelle stated that the sign meets the Township Ordinance

**Motion** by Mr. LaBelle to approve Sign # 2015-93

**Supported** by Mr. Saelens

**Ayes: All**

**Nays: None**

**Motion Carried**

- E.** **SIGN REVIEW #2015-94: MLS Signs, Inc., 25733 D'Hondt Ct., Chesterfield, MI 48051. Proposed new wall sign located at 27327 23 Mile Rd., for Gorgeous Nails**

Mr. LaBelle stated that the sign meets the Township Ordinance

**Motion** by Mr. LaBelle to approve Sign # 2015-94

**Supported** by Mr. Miller

**Ayes: All**

**Nays: None**

**Motion Carried**

- F. **SIGN REVIEW #2015-95: Illusion Signs & Graphics, 14241 Michigan Ave., Dearborn, MI 48126. Proposed new wall sign located at 49130 Gratiot for DFE Novelty.**

**Motion** by Mr. LaBelle to table Sign # 2015-95 for up to three meetings

**Supported** by Mr. Moran

**Ayes: All**

**Nays: None**

**Motion Carried**

- G. **SIGN REVIEW #2015-96: Vern Vankehrberg, 29015 Baypointe Dr., Chesterfield, MI 48047. Proposed addition of LED signage to an existing pylon Sign located at 50875 Gratiot for Dimitri's**

**Motion** by Mr. LaBelle to table Sign # 2015-96 for up to three meetings

**Supported** by Mr. DeMuyneck

**Ayes: All**

**Nays: None**

**Motion Carried**

- H. **PUD #2013-19: Final Review: Leone Companies 49212 Van Dyke, Shelby Twp., MI 48315. Proposed Multi Family for lots located in Plymouth Village II, located north of Hickey Rd, East of Gratiot Public Hearing closed & tabled 9-23-14**

**Motion** by Mr. LaBelle to table PUD # 2013-19

**Supported** by Mr. Miller

**Ayes: All**

**Nays: None**

**Motion Carried**

- I. **SITE PLAN #2015-12: DSL Real Estate Group 10, LLC., 15762 Claire Ct., Macomb, MI 48042. Serenity Village Assisted Living Facility, 47640 Gratiot, Chesterfield, MI 48051. Proposed addition to existing facility located at the above address.**

Ms. Kennedy and Ms. Minor were present  
Mr. Meagher went over the recommendations with them.

**Motion** by Mr. LaBelle to table Site Plan # 2015-12 for up to three meetings

**Supported** by Mr. Alexie

**Ayes: All**

**Nays: None**

**Motion Carried**

- J. FILL APPLICATION REVIEW #2015-13: Jesse Berger, 26351 25 Mile Road, Chesterfield, MI 48051. Proposed 3,851 CV of fill at above address in the A-1 zoning district on the northeast corner of 25 Mile & Zuhlke Rd. Set the public hearing for 11/10/15**

**Motion** by Mr. Miller to table Review #2015-13

**Supported** by Mr. LaBelle

**Ayes: All**

**Nays: None**

**Motion Carried**

- K. PUD #2015-14: SALT RIVER FLATS: Salt River Associates, Paul Esposito, 45489 Market St., Shelby Twp., MI 48315. Proposing 163, 80' x 130' Single Family homes in the R-1-A zoning located at 33633 23 Mile road property was previously Salt River Golf Course, north side of 23 Mile west of Baker Rd. Set the public hearing for 11/10/15.**

**Motion** by Mr. Miller to approve PUD #2015-14

**Supported** by Mr. Moran

**Ayes: All**

**Nays: None**

**Motion Carried**

**7. APPROVAL OF MINUTES FROM PRIOR MEETINGS:**

**Motion** by Mr. Miller to approve the meeting minutes from September 22, 2015

**Supported** by Mr. Saelens

**Ayes:** All

**Nays:** None

**Motion Carried**

**8. COMMUNICATIONS:**

There were no communications.

**9. OLD BUSINESS:**

There was no old business.

**10. NEW BUSINESS:**

There was no new business.

**11. PLANNERS REPORT:**

**A. ADMINISTRATIVE REQUEST #147: Eastside Fence, 22034 Dequindre, Warren, MI 48091. Requesting approval to remove and relocate fence for R.C. Schmidt & Sons Industrial Complex, located at 50700 Russell Schmidt.**

Mr. Parks was present

Mr. Meagher went over the proposal. He stated that it needs to be more specific and suggested coming back at a later date

**Motion** by Mr. Miller to table Administrative Request #147 for up to two meetings.

**Supported** by Mr. Saelens

**Ayes: All**

**Nays: None**

**Motion Carried**

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

Mr. Gendernalik asked about the plans for Salt River and the plans for 59 and I-94

Mr. Moran stated that he will be out of town for work from October 18<sup>th</sup> through the November 4<sup>th</sup> and again from February 1<sup>st</sup> through March 25<sup>th</sup>

**13. PROPOSALS FOR NEXT AGENDA.**

There were no proposals for the next agenda.

**14. ADJOURNMENT**

**Motion** by Mr. Miller to adjourn at 9:00PM

**Supported** by

**Ayes: All**

**Nays: None**

**Motion Carried**

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*Rick LaBelle, Secretary*

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*Julie Jones, Recording Secretary*

10-13-15