

**YANKEE SPRINGS TOWNSHIP
 PLANNING COMMISSION
 Regular Meeting
 Thursday, Sept. 15, 2011
 Yankee Springs Township Hall
 284 North Briggs Road, Middleville, Michigan 49333**

FINAL MINUTES
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 APPROVED: 10/20/2011

MINUTES

Meeting called to order at 7:00 PM by Chairman Frank Fiala.
 PLEDGE OF ALLEGIANCE
Roll Call: All Present: Cunningham, Fiala, Jansens, Purcell, Schwennesen, Strickland, Wells.
 Staff Present: Constable Jim Orr, Zoning Administrator Robert Lippert
 Greg Milliken of McKenna & Assoc. was present as well.
Visitors: 3 (not including staff present).

CALL TO ORDER
PLEDGE
ROLL CALL

ADDITIONS OR CORRECTIONS TO AGENDA:

Approved as submitted.

ADDITIONS TO AGENDA

MEETING REPORTS:

ZBA REPORT: Gordon Wells: A meeting did not take place in September. A meeting is planned for October.

BOARD OF TRUSTEES REPORT: Al Schwennesen

- Sandy Marcukaitis has resigned from the Park Committee.
- The McKeown Family has put 80 acres again in Farmland Preservation.
- Barlow Lake Weed Control is using surplus funds to continue their weed control program until funds are exhausted.
- The Boathouse Ordinance was adopted.
- From the MTA Publication it was noted that local Michigan government is among the most efficient. The MTA is working at trying to replace personal property tax.

ZONING ADMINISTRATOR'S REPORT: Robert Lippert

- 10 Site Plan Reviews took place in August.
- No additions were made to LOMA's (Letters of Map Amendments) to FEMA. This is the first time in ages.
- 4 active complaints from prior month.

MEETING REPORTS

ZBA Report- G. Wells

Board of Trustees Report- Al Schwennesen

ZA Report: R. Lippert

PUBLIC COMMENT:

Shane Vandenberg, YS Resident, referred back to Al Schwennesen's statement regarding the MTA and local government and said that if he (Vandenberg) were a teacher he would instruct his students in the subject of government. Vandenberg would talk to his students about what type of entity local government was and whether its members were getting paid or not. S. Vandenberg commented that local government is not beneath itself.

APPROVAL OF MINUTES:

Motion by Wells with support from Jansens to approve minutes of Planning Commission meeting of August 18, 2011 as presented. All ayes. MOTION CARRIED.

MCKENNA BILLING:

Motion by Wells with support from Cunningham to recommend payment of August billing of \$450.00 from McKenna and concurs with the Board of Trustees. All ayes. MOTION CARRIED.

OLD BUSINESS:

DISCUSSION: Sign Ordinance

F. Fiala introduced the discussion regarding the Sign Ordinance by mentioning a recent article in The Sun and News. This article "Sign ordinance attracts crowd to Caledonia Township meeting" was published in the September 10, 2011 issue. A booklet will soon be available (in October) from Planning and Zoning News. Greg Milliken at some point will pull some things from other communities on their sign ordinances as well.

Discussion began at the beginning of Article XVII - Signs. C. Strickland distributed an eleven page draft of the Article XVII detailing observations she had made for suggested revisions to the sign ordinance. Greg Purcell commented about signs with newer technology improving quite a bit and that they can be of valuable service. Milliken spoke of reader boards with LED lights displaying the time and temperature such as seen at a Walgreen's or other businesses.

Portable signs came up for discussion. G. Milliken commented that a majority of portable signs are a lot of the moveable letter signs with an arrow and lights. But a sign of this type, without guidance, could be left outside permanently. G. Purcell added that it would be good to "manage" the use of temporary signs rather than totally prohibit them or the opposite extreme. C. Strickland remarked that she didn't have a problem with temporary signs; she felt they were there for a necessity such as advertising sales at grocery stores and other businesses. Cathy Strickland also felt that "festoons" (strings of lights, balloons, pennants, tinsel, small flags, or pinwheels) could be a problem area and maybe it should be taken out.

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PUBLIC COMMENT

Motion to approve PC meeting minutes of August 18, 2011 as presented. Motion Carried.

Motion to recommend payment of August billing of McKenna Assoc. Motion Carried.

OLD BUSINESS

Discussion focusing on the Sign Ordinance.

Signs using newer technology

Portable signs

OLD BUSINESS: DISCUSSION OF SIGN ORDINANCE ITEMS con'td

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In regards to exempt signs, G. Purcell felt okay with the time periods placed on exempt signs. He was kind of against quazi-portable signs because they have a harder time withstanding snow-plowing and wind. M. Cunningham mentioned the fact that portable signs advertising civic and nonprofit activities were exempt. Both Cunningham and Purcell felt that maybe this should be opened up to other activities/organizations besides civic and nonprofit. P. Jansens commented that seven (7) days to remove a portable sign might be a little extravagant. Returning to #1 under Section 17.4 – Exempt signs (agricultural), Cathy S. deleted reference to only crops grown on property. C. Strickland also added that #4 in this section is regulating sales- and it is not the right place for it (Garage, yard, moving or similar sale signs).

**Discussion on Exempt signs
(Section 17.4)**

Section 17.5 – Site Plan Review. G. Milliken posed the question, “If the Doctor’s office wants a new sign, do they have to come before the Planning Commission?” R.Lippert replied that a sign of that magnitude should come before the PC. G. Milliken added that it should be handled administratively. R. Lippert agreed and said that it has been delegated to him to handle this type of situation. M. Cunningham added that a storefront window sign doesn’t need a SPR.

**Site Plan Review in relation to
signs (Section 17.5)**

Section 17.6 – Size Regulations by Zoning District- R. Lippert mentioned that the standard size for real estate signs exceeds the size range specified. G. Purcell suggested revising the size (regulation). R. Lippert agreed because none of them conform now. In order to see a home occupational sign, it was recommended to change three (3) square feet to four (4) sq. feet. M. Cunningham commented on the removal of construction signs (2.b) before the certificate of occupancy is issued. He mentioned that advertising for a builder is limited because of this. C. Strickland made an addition under this section at #3.d – “not including the square footage of one (1) permanently affixed sign with moveable letters (similar to a portable sign)”. G. Milliken commented that this section is where some work needs to be done. He advised looking at this section in light of the manual and some of these models.

**Discussion on Size
Regulations (Section 17.6)**

In Section 17.7 – Special Use Signs, C. Strickland suggested deleting the phrase, “provided the applicant can satisfactorily demonstrate to the Planning Commission the need for such signs”. M. Cunningham felt that it could be based on something else instead of “need”. It was commented that “Special Use” used to be another word for “variance”.

**Special Use Signs (Section
17.7)**

Section 17.8 – Non-Conforming Signs- #5 – C. Strickland brought attention to the term “discontinued”. She commented that this term needs to be defined. It is not clear. M. Cunningham cited the Sand Bar & Grill sign situation and said he wasn’t sure if he agreed with making them change the sign if a business changes after six (6) months. Discussion continued about the former/previous Sand Bar sign and included grandfather clause, signs being part of the business’ assets, extending a one year grace period to new business owners, and controlling non-conformity after a specified period has expired. R. Lippert explained the process in contacting the new owner of the Sand Bar & Grill, and the Liquor Commission’s role in not allowing a liquor license because of non-conformity, even after the Board of Trustees approved the Sand Bar’s Liquor

**Non-conforming signs (Sec.
17.8)**

OLD BUSINESS cont'd

license application with the contingency of sign conformity in a certain amount of time. M. Cunningham commented that there was no question that the ordinance had been enforced. Cunningham just wasn't sure if the new owner knew he'd have to change the sign when he bought the business. Also, the question was posed, "Can't the ZBA give a variance on a sign?" It was confirmed that the ZBA cannot. R. Lippert added that he has contacted brokers of other properties that are for sale (M-179 area) to convey the message of sign conformity. Injecting a little humor, C. Strickland jokingly said that she thought some signs should be designated as "historical markers".

Discussion moved through Section 17.9 (Required Setbacks) into Section 17.10 (Sign Height). It was mentioned by R. Lippert that the BP station got an exemption to the 15 foot height limit because of traffic coming over the hill (M-179). Discussion went to Section 17.12 (Landscaping)- C. Strickland mentioned that she would like to see landscaping requirements around on-premise signs – not off- (premise sign areas).

M. Cunningham asked, "If something is not covered in the ordinance, is it prohibited or allowed?" Fiala answered that he thought it could both ways. M. Cunningham asked about wind turbines. G. Milliken commented that they are not identified in the ordinance- so they are prohibited. Possibly this situation (wind turbines) could go to the ZBA and it would be "a kin" to a radio tower.

Paul Heystek, YS resident, asked about a previous meeting and the hospital and its sign situation being put on hold at that point. P. Heystek felt that the hospital will want to put the reader board/digital billboard-type sign up. Heystek asked how much of a distraction that would be for drivers. G. Milliken remarked that frequency of messages, speed limit, distance of sight, are all things that come into play. G. Milliken recalled one of the first of this type of sign being used by a car dealer. It was very distracting because the sign actually had sound and you had to be able to roll down your windows at just the right time in order to hear it. Drivers didn't want to miss it and their attention was drawn there. Another example was a McDonald's having the same type of reader board sign and the restaurant was not allowed to change its message in a 24 hour period. This McDonald's ran two signs simultaneously and they switched a message from one sign to the other every day. So there were two signs with two different messages that switched every day.

Brief discussion occurred regarding window signs, curtains and other items covering window space. G. Milliken said that a lot of communities will exempt window signs up to 50% coverage of window area.

G. Milliken has copied some of Barry County's sign book. Milliken suggested looking at their (Barry County's) ordinance. He also likes Antwerp Township's sign ordinance information particularly the way it is organized with tables and its temporary sign standards.

Fiala recommended leaving the sign ordinance discussion on the table and asked what the Planning Commission's responsibility might be in the Public Act 116 (Farmland Preservation). The McKeown Family has recently applied again for acreage to be covered by this act for a period of ten years. G. Milliken commented that there was nothing for the PC to do.

Other discussion

Frank Fiala initiated discussion on what would be the next item for the Planning Commission to review and discuss at its next meeting. M. Cunningham thought that reviewing sections of the ordinance is a good exercise in order to be educated. G. Purcell added that it was helpful to have dialog to get others' insights. Discussion occurred about possible topics and ordinance sections and it was decided to concentrate on Article XII (12).

ASSIGNMENT: In preparation for next month's PC meeting, please read and review Article XII (12) for any changes, updates or modifications. G. Milliken added that the commission members might want to have the definitions section handy as well for cross referencing.

PUBLIC COMMENT

Paul Heystek, YS resident, asked about the Planning Commission looking at deck height requirements. He asked, "Where do you draw the line?". Discussion occurred regarding heights including deck railings, definitions of patios and decks, and the reasoning for distinguishing between the two (patios and decks). P. Heystek also asked if signs were covered with the master site plan. "Do we want signs that are appealing; so you don't have something that really looks horrid?" asked Heystek. It was confirmed that the ordinance for the M-179 corridor covers this issue.

Chuck Biggs, YS resident, commented, "Are we treating signs as a nuisance or a necessity?" He added that signs are needed by businesses to show where they are located. He said that signs are very important. "If it wasn't for that sign, nobody would know how to find a business."

Shane Vandenberg, YS resident, said that he agreed with everything that C. Biggs had just said. S. Vandenberg feels that we (YS Twp.) should be pro-business, and that businesses need all the support they can get.

ADJOURNMENT

Motion by Strickland with support from Fiala to adjourn at 8:50 p.m. Approved by all.

Approved

by: _____
Cathy Strickland, Secretary Date

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OLD BUSINESS cont'd

PUBLIC COMMENT cont'd

ADJOURNMENT