

Springfield Township
Planning Commission – Business Meeting
Minutes November 21, 2011

Call to Order: Chairman Baker called the November 21, 2011 Business Meeting of the Springfield Township Planning Commission to order at 7:30 p.m. at the Springfield Township Civic Center, 12000 Davisburg Road, Davisburg, MI 48350.

Attendance:

Commissioners Present:

Dean Baker
Ruth Ann Hines
Roger Lamont
Bill Leddy
Beverly Shaver
Neil Willson

Commissioners Absent

Kevin Sclesky

Staff Present

Collin Walls, Supervisor

Consultants Present

Dick Carlisle, Planner

Approval of Agenda:

Commissioner Lamont moved to approve the agenda with the following changes: Add to New Business: #2 Amendment to Zoning Ordinance No. 26, Add New Section #3.05 – discussion. Supported by Commissioner Shaver. Voted yes: Baker, Hines, Lamont, Leddy, Shaver, Willson. Voted no: None. Absent: Sclesky. Motion Carried.

Public Comment: None.

Consent Agenda: Minutes of the October 17, 2011 meeting.

Commissioner Willson moved to approve the minutes of the October 17, 2011 as presented. Supported by Commissioner Shaver. Voted yes: Baker, Hines, Lamont, Leddy, Shaver, Willson. Voted no: None. Absent: Sclesky. Motion Carried.

Public Hearing: Zoning Ordinance No. 26: Article II, Article XVI-Subsection 16.07 and Subsection 16.24

Chairperson Baker opened the Public Hearing at 7:33 pm.

Supervisor Walls stated that on the 2nd page of 16.07, there is a word, “osculating”; this Word should be “oscillating.” He stated that in 16.24, there are provisions for annual

permits that would seem to be difficult to administer. This would be page 6, item F, #1. He stated that it allowed for an annual permit, but they were not required to inform the Township of the specific plans until 14 days before the actual event.

Chairperson Baker reiterated that an organization could present themselves requesting an annual permit and then would come in as they identified events over the course of the year and present themselves 14 days prior to each event.

Mr. Carlisle stated that many of the organizations have things that occur on a regular basis. The idea behind this is to not make this more difficult for these organizations. He stated that they also have the opportunity to give an annual schedule. He stated that this might be less difficult to regulate by using a flag in the BS&A system.

Commissioner Hines asked if there were fees associated with this.

Supervisor Walls answered that a special events permit was \$100.00.

Commissioner Hines asked if this was \$100.00 per occurrence.

Supervisor Walls stated that he has not been in office long enough for someone to come in more than once but there is no annual permit currently.

Commissioner Leddy suggested adding to the first sentence “and provide a schedule for the year.” He stated that the group that applied for the annual permit already has their schedule.

Commissioner Hines and Mr. Carlisle concurred.

Commissioner Willson stated that this is not how he reads it.

Commissioner Leddy stated that if an organization wanted an annual permit, they could provide an annual schedule and then they wouldn't have to come in every time.

Commissioner Willson stated that they need to have this clear and he asked Commissioner Leddy about his language change.

Commissioner Leddy stated that they need to add an annual schedule to the language.

Chairperson Baker reiterated that in item F, #1, there should be some type of language that says “such organizations shall provide their annual schedule of events listing each event and date at the time of application.” And exceptions to the schedule must be communicated to the Township at least 14 days prior to the event.

Mr. Carlisle confirmed that they needed to rework item F, #1. Commissioners concurred.

Commissioner Hines asked if they could have as many special events as they wanted, or was this where the 60 days applied. She asked if Temporary signs were different from the Special Event sign. She stated if she went beyond the 60 days, she would now be under the section 16.24.

Commissioner Willson stated that on page 5, paragraph 4 is referring to something different than they just rewrote.

Supervisor Walls stated that they were different sections of the ordinance.

Commissioner Hines asked if they get a sign for the special event.

Mr. Carlisle stated that this is not covered under this section of the ordinance, they should hold off this discussion until they get to the sign section of the ordinance.

Supervisor Walls stated that this is for Heritage Days and the Farmer's Market type events.

Mr. Carlisle stated that the Township needs to be notified about these special events and this section is only for this aspect. The reasoning behind this is there are police and fire issues that may come up; this has nothing to do with signage. If the business has this on a reoccurring basis, then they can apply for an annual permit.

Chairperson Baker closed the Public Hearing at 7:51 pm.

Old Business:

1. Zoning Ordinance No. 26: Article II, Article XVI-Subsection 16.07 and Subsection 16.24

Chairperson Baker reiterated the changes that have been made to the above sections during the Public Hearing.

Commissioner Hines asked about the window signage being in addition to the regular building signage allowed. She asked if she was reading this correctly.

Commissioners concurred.

Commissioner Hines stated that a business with a storefront of windows gets 25% more signage than another business without windows. She asked what the rationale behind this was.

Supervisor Walls stated that the Township Board reviewed the last draft that the Planning Commission provided of the sign ordinance and at that time, the window signage was at 50%. The Board felt this was excessive so they reduced it to 25%.

Commissioner Hines stated that she thought that the window signage was a part of the allowed signage.

Supervisor Walls stated that this is how the current ordinance looks at it, but this is not how the draft that the Planning Commission sent to the Township Board presented it.

Commissioner Hines stated that she didn't understand this and does not like it.

Chairperson Baker stated that this specific language is to speak towards a store that has windows. It is not intended to speak towards a liquor store. He stated that if a decision was made to support the amended language that is presented here, this would move on to the Township Board for their consideration.

Mr. Carlisle stated that in section f of 16.24, it should say "annual temporary permit", not "annual temporary sign permit."

Commissioner Hines also stated that in item f, section #2, it should also read "temporary permit", not "temporary sign permit."

Mr. Carlisle stated that this section should be related specifically to special events.

Commissioners had an additional conversation regarding window signage and the amendments that have been provided through the process.

Commissioner Hines stated that she believed that the 25% was part of the building signage allowance.

Commissioner Willson stated that this is not how he read it.

Commissioner Lamont stated that he didn't have a problem with the 25% as it was written.

Commissioner Shaver made a motion to approve the Zoning Ordinance No. 26 amendments to Article II, Article XVI-Subsection 16.07 and Subsection 16.24 as changed by the Planning Commission on November 21, 2011 (outlined below) to be sent to the Township Board for first reading. Supported by Commissioner Willson. Voted yes: Baker, Hines, Lamont, Leddy, Shaver, Willson. Voted no: None. Absent: Sclesky. Motion Carried.

Mr. Carlisle stated that the "changes" are defined as follows: "Temporary Sign Permit", will be changed to "Temporary Permit", Section F, #1 will say, "upon application to the Township an organization or business shall provide a schedule or date of each event. An applicant who has been approved for an annual permit shall notify the Township not later than 14 days prior to an event not listed on the annual schedule. Exceptions to this 14 day requirement may be granted by the Township for fundraising events for disasters or

emergencies.” Under subparagraph #2, he stated that he will take out the words “temporary sign” and say “renewal of its permit on an annual basis.”

2. 425 Agreement – discussion and review

Chairperson Baker stated that the Commissioners have been supplied with a number of documents related to the property.

Mr. Carlisle stated that this property has a long history beginning with the development of Deer Hill Farms. He stated that the consent judgment that resulted came out of three party litigation. He stated that the site access and access to utilities comes through Independence Township. Mr. Carlisle summarized the history of developments that have considered the property for use. He stated that they came to the conclusion that parameters should be outlined for future use so that it is clear how it is to be developed and can be done in a more timely way. He stated that eventually they will be faced with a proposal for that property and all of the issues will have to be revisited. He stated that by developing a 425 agreement for this property it will be for the benefit of the Townships and the developer.

Commissioner Hines asked if they are proposing that Springfield initiate it and draft language to present to Independence Township.

Mr. Carlisle stated that in 2004, a fair amount of the work had been done by Mr. Joppich, Attorney for Independence Township and Mr. Need.

Supervisor Walls concurred and stated that many of the details of a 425 agreement had been done. He stated that over the years a reasonably consistent set of standards had been agreed on. Some of the details changed, but it should not be very difficult to begin with the planning issues like sewer and water and zoning. Key issues also include fire service, police service, tax assessment and tax sharing.

Mr. Carlisle stated that they first needed to agree on a process by which they would follow if a proposal was presented for this property. He stated that a common denominator is having the same planner and engineer for both Townships. He stated that they also have personnel involved that have a long history with the Township.

Commissioner Hines asked if this was something that Mr. Carlisle would draft, or would the Attorney draft it.

Mr. Carlisle stated that Supervisor Walls and he had not gotten that far but it would involve him, the two Township attorneys and the Springfield Township Supervisor. He stated that the time was right with Independence Township.

Commissioner Lamont stated that he was involved in decisions regarding the Apostolic Church and it was a good learning experience regarding the land-locked parcel and if they initiate the 425 agreement, it should be more process oriented. He stated that there

were a variety of sizes and types of developments proposed. He stated that the fire, police and utilities naturally would come from Independence, but the real issues would come with the tax assessment consideration which would be for the Township Boards to decide.

Commissioner Shaver asked if the same process was needed for the River church because the property is split between Springfield and Groveland.

Supervisor Walls stated that it was not the same intensity.

Commissioner Shaver stated that they would still have something to follow if a plan were to come up regarding it.

Commissioner Leddy asked how it was determined that no structure could cross the Township line.

Supervisor Walls stated that there is a pipeline that follows the Township line and you cannot build over it.

Chairperson Baker stated that the Commission is supportive of this opportunity and are ready to engage in any way that they can be of value. He stated that they will need some assistance knowing where the Planning Commission fits in the process.

Supervisor Walls stated that they should get in touch with Greg Need and Steve Joppich for their input.

Mr. Carlisle stated that they should get in touch with Barb Pallotta, Independence Township Clerk and Bart Clark, Independence Township Superintendent and alert them to this. He stated that there are Planning Commissioners there that were there before, for example Cheryl Kerrick.

Commissioner Hines asked if something came up right now, would they be bound by the current consent judgment.

Mr. Carlisle stated that he did not know. He stated that the consent judgment in Independence is still in place, but he does not know the status of this document in Springfield Township. He stated before something comes in again they need to define the process, for example, who is going to be involved and what the Townships are going to do.

Commissioner Willson stated that there is a substantial history that has been provided and many of the basics have been agreed to.

Supervisor Walls stated that all earlier considerations were project oriented and the failures were related to those site plans failing.

Mr. Carlisle stated that is why it is important to agree on the process.

Commissioner Lamont stated that he recalls the rear set back of the intended decks being an issue. Independence Township allows rear decks to extend into the rear set back, but Springfield Township does not. He stated that traffic off of Deer Hill would be a stumbling block.

Mr. Carlisle stated that this traffic issue is a problem.

Commissioner Lamont stated that different proposal would affect this traffic concern, but the common issues should be agreed upon in advance.

Chairperson Baker stated that they are all aware of inaccessibility of these 15 acres that lie in Springfield Township.

Mr. Carlisle stated that no formal action is needed on this item.

New Business:

1. 2012 Meeting Dates

Commissioner Lamont made a motion to approve the 2012 Meeting Dates as presented in a document to the Commission showing the meetings held on the 3rd Monday of each month. Supported by Commissioner Hines. Voted yes: Baker, Hines, Lamont, Leddy, Shaver, Willson. Voted no: None. Absent: Sclesky. Motion Carried.

2. Amendment to Zoning Ordinance No. 26, Add New Section #3.05 – discussion.

Supervisor Walls clarified that it would be an amendment to article 3, adding new section 3.05. This was language suggested by Greg Need.

Commission Hines made a motion to schedule a Public Hearing at the next available Planning Commission meeting to hear “Amendment to Zoning Ordinance No. 26, Add new Section #3.05” as presented. Supported by Commissioner Willson. Voted yes: Baker, Hines, Lamont, Leddy, Shaver, Willson. Voted no: None. Absent: Sclesky. Motion Carried.

Other Business:

1. Update Priority List

Commissioners reviewed and discussed the Priority Task list and made the decision to eliminate “Sign Provisions Other” and made a further decision not to proceed with

further Sign Ordinance changes unless directed to by the Township Board. "Pathways" was also removed from the Priority Task List.

Commissioners reviewed and discussed the "Ideas for Planning Commission Consideration-Result of Planning Conference October 2011" and made the recommendations to add "Mining and Extraction Operations Changes", "Access Management" and "Creating a Business District Zoning for Downtown Davisburg" to the Priority Task List.

Mr. Carlisle stated that he would provide a presentation on "Complete Streets" at the January 2012 meeting.

Supervisor Walls would contact Greg Need regarding a review and possibly an updated "Definition of Church" for consideration by the Planning Commission.

Public Comment:
None.

Adjournment:

Commissioner Lamont made a motion to adjourn the meeting at 9:29 p.m. Supported by Commissioner Shaver. Voted yes: Baker, Hines, Lamont, Leddy, Shaver, Willson. Voted no: None. Absent: Sclesky. Motion Carried.

Erin Mattice, Recording Secretary