

Springfield Township
Planning Commission – Business Meeting
June 21, 2010

Call to Order: Chair John Steckling called the June 21, 2010 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:

Bill Leddy
John Steckling
Neil Willson
Dean Baker
Ruth Ann Hines

Commissioners Absent:

Roger Lamont
Frank Aiello

Staff Present

Mike Trout, Supervisor
Mike Forst, Property Manager

Consultants Present

Brian Oppmann

Approval of Agenda: Approved.

Public Comment: None.

Consent Agenda: Minutes of May 17, 2010

Commissioner Hines moved to approve the minutes of the May 17, 2010 meeting with the following correction; change “Commissioner Leddy to Commissioner Baker” on page 12, 4th paragraph. Support by Commissioner Leddy. Vote on the motion: Ayes: Leddy, Steckling, Baker, Willson, Hines. Nays: None. Absent: Aiello, Lamont. Motion Carried.

Public Hearing: None.

Old Business:

1. Lumberyard property-discussion.

Supervisor Trout stated that the Township Board has approved the removal of all buildings and concrete foundations on the lumberyard property, including the car wash. He is working now with Mike Forst and the utility companies to comply with the shut off procedures of all utilities prior to demolition. The demolition is scheduled to begin in the next couple of weeks with the whole process taking 4-6 weeks to complete. He stated that the Township has submitted the permit fees for the disconnects.

Mike Forst stated that they had received acceptance of permit from Consumers, but they were still waiting for DTE. He stated that once Consumers Energy receives the checks, the property would be put on the retirement schedule. He stated that it could take 4-6 weeks. He stated that they have the appropriate numbers from DTE, and we are waiting for them to call back with an estimate on the cost and schedule. He stated that he believes DTE would be even longer than Consumers Energy; especially with the recent storms. He stated that both buildings were on the same piece of property; so they could be done at the same time.

Supervisor Trout stated that the Township Board believes it was better to start with a clean slate and they received some feedback from the Planning Commission that this was a good direction as well. He stated that the roof was bad on one structure. He questioned Mike Forst on the roof estimate for this building.

Mike Forst stated that the brown building estimate was over twenty-one thousand dollars to remove the shingles, roof decking, insulation, and drywall and to treat all of the existing timbers for mold and then reinstall all of the above.

Supervisor Trout stated that they would still have a building that is on the site and may be in conflict with other uses for the property. He stated that they are moving forward with the demolition and this demolition will be helpful in the discussion of site plan, or master plan because they will have a clean slate and he hopes that in the next month something can be put together. He stated that he believes that the priorities are known; parking and septic are issues. He stated that the Health Department was on the property and did some perk tests; the property failed for a conventional system because the water table is so high. He stated that this means that an engineered system would be required. He stated that they had a discussion about current need and the size of the field that the Health Department was requiring. They are requiring a primary and a secondary field so it really doubles the size of the area that is needed to have set aside for it. He stated that they needed an area of about 15,000 square feet which would take up a quarter to a third of the property and then there would be no capability to expand. He stated that there is only a certain area that would be suitable. He stated that it was valuable to go through these steps because it allowed the Township to perhaps eliminate the lumberyard for a site for the septic system which opens it up to other things. He stated that after a meeting, it was decided to look at the gravel pit site on Eaton Road. He stated that the Health Department did some perk tests on this property and this site perks very well. He stated this commercial system would still need to be engineered, but they may be able to have an engineer design a conventional system. He stated that the pre-treatment or the treatment would still need to be located somewhere; perhaps the lumberyard or the fire station.

Supervisor Trout stated that payment for the system also needs to be considered. It is not known how much it is going to cost yet; but the idea is to assess

downtown business owners. The first priority is the planning and the design of the system; the other priority is the cost for the special assessment district and how that should be approached. There are a lot of issues with different sources of funding, different ways that we would require people to pay. The health department is adamant about having people connect to it right away and the Township would have to work out an incentive for that; perhaps to pay for the initial hook-up, or have the Health Department evaluate each lot to determine if their system was sufficient. This may be a way to persuade people because some systems may not pass current standards. He stated that a combination of these things may be used. The positive part is that we are still getting results that will lend itself well to a community system. People that they have talked to feel confident that this is something that we need to do and this alone is something positive. There has not been opposition to the idea of a community system; it has been exactly the opposite. He stated that this is a positive outlook.

Mike Forst stated that the lumberyard site is too small for what the engineer is estimating is needed for the standards downtown. This is why an alternative site is being considered at the gravel pit. The Health Department was pleased that everything was being knocked down and we were starting with a clean slate. He stated that they were impressed that the Township would take this step. He stated that the gravel pit would be an excellent choice. He stated that there is the question of transport of material to the area, but it is a start.

Supervisor Trout stated that soon we would have to involve the people that are affected. He stated that the best thing would be to get the engineer's preliminary design and estimate and then discuss it at a meeting to which the business owners have been invited. He stated that they can make a presentation about the system and how the assessments are going to work. He stated that there is a step-by-step process for this. He stated that they can talk about the different alternatives to paying for it. He stated that some of the businesses will be forced to do it since there are open sanitary issues now. He stated that those that may not want to get on it initially are who they will have to deal with.

Commissioner Willson asked what the ultimate capacity of the system would be. He asked how the need is measured.

Supervisor Trout stated that there is a way to measure the output of each building and then they use a REU (residential equivalency unit).

Mr. Oppmann confirmed that it was a REU (residential equivalency unit). He stated that a house is 1 REU and a table and chart is used to determine use for any type of business. He stated that restaurants and fast food businesses have lots of REU because of the number of tables and chairs and the water that is used. He stated that it is a graduated scale that is used.

Supervisor Trout stated that initially they were looking at a district that would include a couple of residences (the two next to the fire station) and the one adjacent to that at the corner of Andersonville Road and Davisburg Road. He stated they included these residences because the systems have failed next to the fire station and they came to the Township seeking help. He stated that these residences asked if they waited, could they get on to the community system; they are willing to pay and do whatever it takes.

Commissioner Hines questioned what they were doing in the meantime.

Supervisor Trout stated that they are on the pump-and-haul system like the downtown businesses that are in violation. They fill their tank and have it pumped out. He stated that this is very expensive.

Commissioner Steckling asked about the system that they were looking at and if that was still an option.

Supervisor Trout stated that the meeting with the Health Department involved the Water Resource Commission and this was still on the table as one of the things that is evaluated.

Commissioner Willson questioned what the capacity was of the system that was being considered and does the ultimate size of the system reflect the possible future use of the downtown strip.

Supervisor Trout stated that yes; it included this strip and the area towards the Hart Center, maybe even including the Hart Center. So, everything between the Hart Center and the Fire Station; all of the Downtown businesses, a couple of commercial establishments and possibly adding in a future restaurant or two into the mix. He stated that they figured it so that each level would have a use. For example, the three level buildings would have a residential, a commercial and an office use. He stated that they are trying to max out what they might potentially have without overbuilding the system. He stated that this estimate came out to a certain number of REU's that translated into a field of 7000 square feet. This would be 7000 gallons and then this is converted into an area that is needed per gallon.

Mike Forst stated that the requirement is one square foot for every gallon. He stated that they are estimating 7000 gallons for downtown and in comparison, the Civic Center was estimated at 3000 gallons and that included future growth. He stated that the Civic Center has 2 separate systems as well. He stated that on the Civic Center property, only ½ gallon per square foot was allowed, whereby in a community system we can do a gallon for a square foot.

Commissioner Willson asked for clarification if that was per hour, or per day.

Mike Forst stated that this was per day.

Commissioner Hines asked if this was based on the gravel pit site.

Mike Forst stated that no, it was based on the fact that it was a community system. In some cases, they allow 1.5 gallons per square foot, but in our case, it is 1.0 gallon per square foot. By looking at this estimate and looking at the space available at the lumberyard, the best system that could be put in this area would be 4000 gallons.

Commissioner Baker questioned if this was still going to be an engineered field.

Mike Forst stated that the gravel pit would still be an engineered system. He stated that if a restaurant was added, the owner would have to have a front end with grease traps and other pretreatment facilities.

Commissioner Hines asked if we were talking about collecting it somewhere and pumping it up Eaton Road.

Supervisor Trout stated that yes; they could put the pretreatment in town and then just push the water up the hill.

Commissioner Baker asked if the gravel pit that they were referring to was the one zoned for Parks and Recreation a few years ago.

Supervisor Trout stated that yes; this was the property that was being looked at. He stated that the other factor on the lumberyard property was the isolation of the drinking wells that were in close proximity to the system. There were several that would have required a variance, and they were very close to the distances needed to get these variances. He stated that this was another challenge. He stated that the gravel pit property is such that at the top of the hill, you cannot even see the site because the property drops down and is dug out so much. He stated that they had difficulty digging 8 feet because it was so sandy and the holes kept filling up. He stated that they would have no isolation issues as far as drinking wells. He stated that they would have none of the other challenges that the downtown site had.

Mike Forst referred to a map of the gravel pit site. He pointed out elevation areas and the slope of the property. He stated that this area is 6 ½ acres and they did stake an area that was 200 by 100 that would accommodate a 7000 gallons per day system. He stated that there are 3 white stakes on the property if any of the Commissioners want to visit the site.

Commissioner Hines asked what the Planning Commission's role would be in the development of this community system.

Supervisor Trout stated that they could help with the Downtown treatment facility site; possibly even looking at the different alternatives available in the engineer's drawings to get additional feedback.

Commissioner Hines stated that Supervisor Trout had mentioned inviting people to meetings. She asked if this would be a Planning Commission meeting. She stated that the Township Board would be responsible for determining the Special Assessment.

Supervisor Trout agreed.

Commissioner Hines stated that she wanted to make sure that the appropriate Board was meeting with the business owners.

Supervisor Trout stated that he could invite the business owners to an informational meeting where the details could be laid out and have a couple of the Commissioners sit in on the meeting. He stated that they would have a lot of questions.

Commissioner Willson stated that the cost would be important.

Commissioner Steckling asked what other choices do they have. He stated that he cannot imagine how they are operating right now based on how much of the land downtown is dedicated towards septic. He stated that this is a godsend to them; they are fortunate that the community is doing this. He stated that this is a major life-extender for these businesses Downtown that the Township can facilitate this system for them.

Commissioner Hines stated that some of the businesses should have been shut down already. She stated that she has lived in the area since she was six.

Commissioner Steckling stated that if they build the system that they are talking about, would all of the lumberyard property be used.

Supervisor Trout stated that the whole corner would be used at Broadway; the majority of the property by the brown building.

Mike Forst utilized a map to outline the area and stated that this would be used for just the field. He pointed out the area that would perk and the areas that would not.

Commissioner Steckling stated that this area that would not perk is the area that they are using right now.

Mike Forst stated that the store owner had a deeded right to the Township's property for a septic tank and field, but if it does not perk, they cannot use it. He

stated that the issue is that none of the areas in town would perk. He stated that the harness shop does not have any facilities. He stated that there are some questionable operations on the north side. He stated that they are aware of an illegal connection in one of the storm drains even though its source is questionable. He stated that the store owner is overflowing every week and he is using pump-and-haul at the cost of around \$700.00 per month.

Commissioner Hines asked if there were people living above any of these buildings.

Mike Forst stated that yes; they were occupied, over the store and over Grant Ward's office, and the end building.

Commissioner Steckling stated that it would be interesting to see the cost of an engineered system and then the cost to pump it up. He would also like to see the cost from a maintenance standpoint and then look at the cost of the Israeli system, the self-contained system which may occupy a smaller footprint and may be cheaper to maintain down the road while leaving more land.

Supervisor Trout stated that this system was still on the table. He stated that there are several technologies; all need to be evaluated on initial cost and ongoing cost.

Mike Forst stated that there are several systems out there, each has a thing that is mandatory for its use and perhaps an enclosure building or lid covers. He stated that there was another system that uses aeration that uses exhaust-fan looking hood over the top of the areas. He stated that each system is different with different requirements.

Commissioner Hines asked if Commissioner Steckling if he was insinuating that there was a system that we would be able to have on the lumberyard property.

Commissioner Steckling stated yes.

Commissioner Hines agreed saying that she would think that there would be something that could be located on the lumberyard property. She stated that anytime that you start pumping something somewhere; this is not something that you want to do because it is long-term maintenance. She stated that it is being pumped a long distance.

Mike Forst stated that the issue was the introduction of a certain amount of water back to the ground water and the lumberyard is not suited for this. We are limited to about ½ of what they are estimating we need.

Commissioner Hines stated that no matter what kind of treatment system is used, we do not have enough room to put the clean water back out.

Mike Forst stated that no, not unless you were investing in multi-million dollar units and used ultraviolet red to purify the water.

Supervisor Trout stated that then it was possible to discharge surface water.

Mike Forst stated that this was a whole other series of permits with EPA. He stated that they are looking at a community system that falls under the 10,000 gallons per day. Once you exceed that, it goes to a whole different type of system with different steps for permitting. He stated that the Health Department felt that this is where the Township's needs can best be met.

Commissioner Hines stated that they do not have a means to get rid of the treated clean water.

Mike Forst stated that this is correct. The system that was estimated for the Township is 7000 gallons and the lumberyard could only provide about 4000 gallons.

Commissioner Steckling questioned if they just considered the buildings that were down there, would they have a little more room. He is concerned that this is similar to the issue that happened at I-75. The two systems ultimately failed and the County bailed them out with the forced main sewer that was put in for the condos. He stated that the Township should not build something that ultimately fails. He stated that with all of these systems, the bottom line is how and who can finance it. He stated that the Township is going to have to find a way to facilitate the financing, but in the end the building owners are going to have to pay it. The benefit to them would be buying it, facilitating the construction of it, and then providing the mechanism for financing it.

Supervisor Trout stated that at some point, they need to have HRC step in and present what they are proposing to the Planning Commission. He stated that possibly within the next month he would try to get them to get together some of their ideas and start talking about them.

Commissioner Leddy stated that it makes sense to go to an area where you can have future expansion which would be the gravel pit. Then you could accommodate a growing downtown area including restaurants, and then we are not just limited to what we have right now.

Supervisor Trout stated that this would be just solving a short-term problem.

Commissioner Hines questioned what they would do with the lumberyard property.

Supervisor Trout questioned Mr. Oppmann on the approach to this area.

Mr. Oppmann stated that they ought to take a closer look at Davisburg as a whole instead of this individual property because, for example, they need to further explore all areas of need. He questioned what types of uses are envisioned for down there. He stated that you have to look at the entire downtown and see what you have to work with in terms of parking downtown. They could look at different phases and different uses on the site, whether it was a commercial building or other use. Ultimately, economics are going to drive all of it, but maybe the Township could look at parking, if there is even a need. He stated that it is better to look at the entire downtown and what we have to work with now before we go and design a site, or do drawings for a site. For example, you don't want to build a parking lot that may not get used.

Commissioner Hines questioned if anyone used the parking lot behind the old Township Hall.

Supervisor Trout stated that the business owners should use this lot so they do not have to park in front of their stores; he is not sure why they don't.

Commissioner Willson questioned at what point we can convince them to take the insulting signs down. He stated that he finds this outputting. They do not own the parking slots in front.

Supervisor Trout stated that maybe we should limit the amount of time that you could park down there, even if it was for a couple of hours.

Commissioner Hines questioned who would enforce it.

Mr. Oppmann stated that the police would have to. He stated that this parking time limit was an option; you could put signs up and see if this changes anything.

Supervisor Trout stated that this is something that the Planning Commission will have a lot of input on. For example, will we use the lumberyard as a public space, will be reserve some of it for commercial, use it for civic events, a firestation.

Mr. Oppmann stated that we could tie it into Mill Pond and that area. He stated that there a lot of ways to keep it public, or it could be private.

Commissioner Willson stated that there are many areas like this in Michigan, a large space behind the old Downtown area. Some of the more attractive ones have been turned into multipurpose, all year buildings with some parking and landscaping and flowers. He stated that this is a structure that can be used for farmer's markets and outdoor concerts. He stated that this is used as a centerpiece with some parking around it. He stated that that the first time that an event is held, or a restaurant is put in, the parking that is there will be used up very quickly.

Commissioner Steckling stated that this is a 3 acre piece and it is a small piece of land. If you put a septic field on this property, there will not be anything left.

Supervisor Trout stated that this is why they are not looking to put the system there, it is too limited and the investigation that they have done confirmed this. It has been valuable because it pointed the investigation in another direction.

Commissioner Steckling questioned if it would handle the businesses that were there now.

Supervisor Trout stated that probably the one side of the street, it probably would.

Commissioner Leddy stated that they probably need to do something like they are doing with the Dixie Corridor and make a plan for future use for this whole downtown area. He stated that we need a general plan as to just how you are going to develop the downtown to make it look nice, rather than going one step at a time with one building at a time. It is better to do the overall picture first and then try to fit different things into this plan.

2. Dixie corridor study update.

Supervisor Trout stated that we did not receive any comments on the study update. He stated that he did receive something from Commissioner Steckling, but it was mostly about signs.

Supervisor Trout stated that as structures are removed from the lumberyard property, a great deal of the material is going to be recycled. We are not taking all to the landfill, possibly 80%.

Mike Forst stated that the percentage was higher than that. He stated that the only thing that cannot be recycled is the drywall and the insulation, including the shingles and the concrete. He stated that this is true with the low-bid that the Township accepted. He stated that as the Township moves forward in gaining access to grant money, this will be a positive.

Supervisor Trout stated that it might be possible to use the property for a green type of development.

Mike Forst stated that it might be possible to tie it into the pathway plan.

Supervisor Trout asked Brian Oppmann how he wanted to proceed.

Mr. Oppmann stated that it was left on the agenda in case anyone had any questions. He stated that he thinks we should keep this moving up and send it up to the Board if no one has any concerns.

Commissioner Steckling stated that this was a good idea.

Commissioner Hines moved to send the latest copy of the Dixie Corridor Study to the Township Board for their review. Supported by Commissioner Willson. Vote on the motion: Ayes: Leddy, Steckling, Baker, Willson, Hines. Nays: None. Absent: Aiello, Lamont. Motion Carried.

Commissioner Hines suggested that when Commissioners are absent from meetings, that all material be provided to them so they can review it.

3. Amendments to Zoning Ordinance #26-Temporary Signs.

Commissioner Steckling stated that it was sent back for further clarification.

Mr. Oppmann stated that the Commissioners were provided with the overall sign section from beginning to end, including the temporary sign section. He stated that if the Commissioners had any questions, they would be able to look at it as a whole. He stated that Clerk Moreau had some questions which she put into email form which all Commissioners were given a copy of. He stated that we are looking for direction as to what to do with it. He stated that a lot of questions regarding process can be worked out through the Supervisor and Ordinance Officer.

Supervisor Trout stated that he recently looked at the newly updated Waterford Sign Ordinance; it comes complete with 25 sign definitions. He stated that Mr. Oppmann took a lot of the information from other communities, including Independence. He stated that the Waterford Sign Ordinance is short; it basically states that they can have signs for 15-30 days in a twelve month period.

Mr. Oppmann stated that there are 2 options to handle this. There is the Waterford and Independence version that allows a specific number of days in a calendar year; or a more structured position that makes it easier to enforce. He stated that the first option is difficult to enforce. He stated that he modeled the current version of the temporary sign ordinance after Orion Township which is easy to enforce because it includes exact dates of signs.

Supervisor Trout suggested looking at the issues that Clerk Moreau raised. He referred to her comment on the sign material.

Commissioner Hines questioned why we wanted to look at sign material.

Mr. Oppmann stated that before he gets into Clerk Moreau's comments, he stated that our current ordinance does include definitions in the front of the Ordinance there are about 15 present. He stated that the one that is not present is temporary sign; he stated that this should be added. He stated that they can craft this definition and add it; this ties into Clerk Moreau's first question. He stated that sign material can be tied into a definition if needed. He stated that most communities do not specify material.

Commissioner Willson stated that a lot of different material can last 14 days.

Commissioner Steckling stated that political signs are made of cardboard and fall apart quickly.

Commissioner Baker stated that in our current sign ordinance materials are specified because we do not currently have a temporary sign ordinance. He stated that he does not believe we should limit material; however, we should have temporary signs fixed at a location in a way that is does not go into the roadway. It must have some weight or substance to it to allow it to stand and does not blow out into traffic.

Mr. Oppmann stated that this can be built into the application. The applicant will attest to, the sign must be secure so that it does not blow into traffic.

Supervisor Trout stated that this is also how we should address Clerk Moreau's second item regarding permitting. The application would lay out what would be required for a permit. He stated that we would put a green sticker on something that is approved and a red sticker that is not. It could be something similar to our current building sticker, but this can easily be filled in with dates so you can tell easily by looking at a sign if it was approved. He stated that these are issues that can be worked out.

Mr. Oppmann stated that #8 in the temporary sign language essentially says that if the temporary sign is put up illegally and is not in compliance with the Ordinance, the Ordinance Officer has the right to pull the sign and keep it for up to 5 days. The Ordinance Officer would write a letter to that address, or call the business owner. He stated that after 5 days, it would go in the dumpster.

Commissioner Hines asked if garage sales are included.

Mr. Oppmann stated that this would be separate under portable signs, under civic signage, page 3 of the document provided, #5. These signs would be permitted for 3 consecutive days. He stated that the difference between temporary signs and civic signage would be commercial versus non-commercial.

Supervisor Trout stated that this also included graduations. He stated that we do deal with them because frequently they are in the right-of-way, but they would not be permitted. He stated that it may not be perfect, but it is better than what we have now which is nothing. He stated that it can be changed if we see problems.

Commissioner Hines stated that she cannot imagine enforcing this along Dixie Highway.

Supervisor Trout stated that the Ordinance Officer is on Dixie Highway every day that he works. He stated that it does not take him long to notice something out of place.

Commissioner Hines stated that it seems as if there are always signs along Dixie and she does not find it offensive.

Supervisor Trout stated that we are trying to find a way to allow businesses to do what is happening now, but to control it to a certain extent and to capture fees from it.

Commissioner Steckling stated that this will not change what is being seen now. He stated that the bulk of the signs that violate our Ordinance and that are out there now have been there forever and they are not temporary signs. He stated that the used cars banners at the car dealerships are illegal. The window signs are illegal. The signs in downtown Davisburg are illegal. He stated that he also does not find it offensive, but it is against our Ordinance. But, we do not make them take them down.

Supervisor Trout stated that it is difficult to control the party stores. It has been easier to control the Dixie Davisburg Market because we have an understanding with them. He stated that the other party stores are trying to stay within the frames that we are suggesting.

Commissioner Steckling stated that all of the current temporary signage is illegal.

Mr. Oppmann stated that the challenge for the Supervisor and the Ordinance Officer, even after the Temporary Sign Ordinance is approved, is having the support of the Township Board. He stated that the first week when the Ordinance Officer writes up every single business, they will all come to the Township Board and complain. For the Ordinance Officer to do his job, he must receive the Board's support and the approval of trying to clean things up.

Commissioner Leddy stated that it has to be enforced across the board, or not at all.

Mr. Oppmann agreed.

Commissioner Hines stated that the next time the car dealership has the yellow signs out there every 3 foot, she asked if they would be taken down.

Commissioner Steckling stated that these would be legal; you could get a permit for these. If he has them up for a short time and takes them down, this would comply. However, it is all of the rest of the signage that has been there forever that is illegal. He stated that the window sign and the Goodwrench signs are the ones he is talking about. He stated that if take a drive down Dixie Highway and

take a look at all of the businesses, the majority of them are full of temporary signs and he does not have an issue with them.

Commissioner Hines stated that she agrees with Commissioner Steckling. She stated that the Curves owner had complained to her about the lack of available signs.

Supervisor Trout stated that what is there now is legal, and is by consent agreement which they have with the Township Board.

Commissioner Steckling asked what is the purpose of that, why is one exception made for them, why not make it the Ordinance.

Commissioner Hines stated that they will all be suing to get a consent agreement.

Supervisor Trout stated that we are not looking for the easy way out. He stated that with the Randy Hosler dealership, we could have started issuing tickets and each one of the signs was a violation.

Commissioner Steckling stated that these types of signs would be legal.

Commissioner Willson asked if there was a permit required for each yellow sign. He stated that this is one of Clerk Moreau's questions, #3.

Mr. Oppmann stated that our current Ordinance does not include any temporary signs, so they would all be illegal. If it not permitted, it is illegal. He stated that the previous administration did not want any temporary signs.

Commissioner Steckling and Commissioner Hines gave examples of businesses that are currently in violation.

Commissioner Steckling stated that he felt it is unworkable; it is aesthetics and if someone thinks something looks ugly, then it is their opinion. He stated that politicians are not limited in size or amount. He stated that these are ugly signs, they are temporary signs, and we allow it.

Commissioner Baker stated that the Commission took up the Temporary Sign effort at the request of the Supervisor. He feels that the Township Board and the Supervisor requested that the Planning Commission take on this issue. He stated that that is their purpose, to act as an agent. If there are directed by the Board or the Supervisor, this is what they are supposed to do. He stated that it is eventually their responsibility to submit this document. It can be submitted with a lot of trepidation, with a lot of reservations, and thoughts and comments. It is the Planning Commission's responsibility to respond to the request. He stated that they can point out several shortcomings, issues and challenges that they will face but eventually, it is the Township Board's call as the electing body to approve or

reject. The Township Board when evaluating has the choice to revisit, amend, or drop the issue. He stated that they owe a proposal, a document, to the Board for them to review with the minutes of the discussion as a part of it. He stated that the Board will be able to look at all considerations. He asked if a public hearing was held already.

Mr. Oppmann stated that there was a public hearing held and this is when Mr. Walls' comments were addressed and fixed. The public hearing was held on the temporary sign language, but not on the latest 2 changes. He stated that we should post another public hearing on the general temporary sign Ordinance. He stated that he would have to look at how the public hearing was posted, whether it is generic or more detailed.

Commissioner Baker stated that he does not know if this is where the Commission was going, but he doesn't think that it is the right methodology to say that if the Board or the Supervisor has asked the Commission to review it. He stated that he does not feel comfortable dropping it. He stated that the Commission needs to present something.

Commissioner Steckling stated that he is not suggesting that the issue is dropped. He stated that he feels that it is a major waste of time.

Commissioner Hines asked if the request is just for temporary signs.

Commissioners stated yes.

Commissioner Steckling asked if Clerk Moreau's concerns had been addressed and how the Commission wants to proceed.

Commissioner Willson asked if question #3 had been addressed and if it had not, this is one that should be clarified before it is send to Township Board.

Commissioner Steckling stated that the permitting process that is in the Temporary Sign ordinance is general. He stated that question #3 could be dealt with administratively.

Supervisor Trout stated that each sign is a separate permit. He stated that if a business wanted two signs, at two different locations, each one would be separate. He mentioned the Renaissance Festival and how he had allowed them to put up 2 signs last year. He stated that this had prompted him to begin thinking about how to address Temporary Signs. He stated that businesses associate regulations on signage as taking away from what they are trying to do. He stated that we should be working with each other. He stated that he did not write the laws that are currently being enforced. He stated that the Temporary Sign Ordinance would give them some flexibility, even though there are difficulties with it. He stated that the Commission should recommend another Public Hearing or something in

order to move it forward. He stated that some of the Commissioners feel strongly about it and some not at all.

Commissioner Baker asked if Clerk Moreau's questions had been finalized and gone through. He stated that at the last meeting, Commissioner Lamont had mentioned something about the civic event signage and had questioned if this was part of the 3 day signage, or was it a special circumstance. He stated that civic had to be defined, and he did not know if this has been done.

Mr. Oppmann stated that last month the Commission had talked about expanding the civic signage to 14 days, but he did not think that the Commission wanted to do this for a garage sale.

Commissioner Baker stated that this would be a split between civic events and everything else. Civic events would be allowed for 14 days, and everything else for 3 days.

Commissioner Steckling questioned Commission Baker on the difference between a community sign and a for-profit sign. He stated that a sign is a sign. He stated that this is discriminating some signs and not others.

Commissioner Baker stated that this is the purpose of the document; to create discretion on what signs are permitted and at what locations. He stated that they are regulating signs to create the most harmonious situation of commercial and residential uses within our Township.

Commissioner Steckling stated that his point is that this is aesthetic; they are offensive to some and not to others. He stated that it doesn't matter if it is garage sale, or oil change, it does not make a difference. He stated that the garage sale signs are put up by the voters and they would be upset if they had to pull permits for these signs. He stated that is aesthetic and we are discriminating based on what it says. He stated that the Renaissance Festival is a profit making business.

Supervisor Trout stated that people come in and complain about signs that are up.

Commission Willson stated that it is aesthetics; something bothers everyone.

Commissioner Hines asked what was decided about Divine Mercy and their sign.

Supervisor Trout stated that they are non-profit.

Commissioner Hines asked if her church could do whatever they wanted on their property; she said this was not right. She stated that her church has a large banner and she asked if this was okay just because they were a church.

Supervisor Trout stated that maybe the Commission should go back and look at the entire sign ordinance.

Commissioner Hines stated that this would not address the temporary sign problem that they are going to have this summer.

Commissioner Steckling stated that he does not believe political will is behind it; it may be an exercise in futility. He stated that he is upset by the fact that the corner store has a consent judgment.

Supervisor Trout stated that in addressing the material question in Clerk Moreau's memo. He stated that the Waterford sign ordinance addressed it well and says, "all signs shall be constructed and maintained in compliance with all local building codes and applicable laws and shall be of sturdy construction to withstand normal, natural elements. Signs having missing letters, burned out elements, or damaged or missing parts shall be considered improperly maintained."

Mr. Oppmann stated that permanent signs have to maintain Building Code standards.

Supervisor Trout stated that the "withstanding natural elements" was the kind of language that they could use. He stated that Clerk Moreau's #2 was addressed by the fact that they would have permits for each sign. The question of how many signs should be addressed. He stated that they probably should limit how many signs on each piece of commercial property; possibly one or two.

Commissioner Baker stated that you could limit it according to the spacing along the frontage.

Commissioner Hines stated that the Renaissance Festival did not put signs on their property at all.

Commissioner Leddy stated that the Ordinance does not say that each sign needs a permit.

Mr. Oppmann stated that we need to draft a definition for temporary sign and clean up the provision. He stated that it will need to be re-posted for a Public Hearing.

Commissioner Leddy stated that the Supervisor and the Ordinance Officer sit down and look at a Ordinance that can be enforced; then bring this to the Planning Commission.

Mr. Oppmann stated that he will sit down with Supervisor Trout and draft an application and go from there.

Commission Baker stated that between the Supervisor and the Planner, we have heard a lot of commentary tonight and many months before on issues, thoughts, and gaps that have been identified and whatever can be done to minimize those and create something that is enforceable and then bring it back to the Planning Commission for them to look at, then it can be posted for public hearing after that.

Mr. Oppmann stated that the number of signs needs to be narrowed down.

Commissioner Hines stated that they also must deal with businesses putting signs on property that they do not own, such as the Renaissance Festival.

Mr. Oppmann stated that it needs to be defined one permit for property; two different sites would be two separate permits.

Commissioner Baker made a motion that the draft Temporary Sign Ordinance language be returned to the Planner and the Supervisor for them to evaluate appropriate language relevant to the definition of a civic event, relevant to the number of temporary signs that can be posted on a property under a permit, will a separate permit for every sign be required and is there a cumulative number of days that is allowed (for example, if you are allowed 60 days of signage over the course of a year and you want 60 signs, is that a day a sign? What type of math will be used?), are there spacing requirements that are relevant dependent on the amount of road frontage that you have and are there other relevant topics within the sign ordinance that need to effectively co-mingled with this draft language to more appropriately convey and make manageable this ordinance. Supported by Commissioner Hines. Vote on the motion: Ayes: Leddy, Steckling, Baker, Willson, Hines. Nays: None. Absent: Aiello, Lamont. Motion Carried.

Commissioner Hines stated that under the definition of sign, “house numbers, addresses, and name plates not exceeding two square feet shall not be considered signs.” She stated that behind her house is a “HIM” designating the Hogs in Ministry. She asked if this was permitted. She stated that the neighbor does not approve.

New Business:

1. Safety path-discussion and survey results.

Commissioner Steckling stated that all Commissioners received an estimate from Hubble, Roth and Clark to run the safety paths. It was broken up into two stages; the first from Dixie to Bridge Lake and the second is from Bridge Lake to Peaceful Valley.

Supervisor Trout clarified the two segments. He stated that this document was giving us an estimate of cost. He stated that the survey has been posted and we have received over 100 responses with the majority being positive. He stated that we are compiling data as we go. He stated that between Chris Benedict, Neil

Willson and himself they have begun to develop an implementation plan which is coming along nicely. He stated that the surprising part of the survey was the fact that the people recognized the need and that they are willing to pay. He stated that the County came to the Township Board meeting last week and talked about their park millage. One of the items that was brought up was connectivity. The highest priority within the county for people had to do with connectivity, pathways and trails. He stated that the challenge with implementation is to decide the starting point, which will be Dixie and Davisburg, and then work the way out from there. This would be ideal especially with the intersection improvement. He stated now that they know the cost; we should start investigating ways to pay for it; should we be considering the millage option and when. He stated that the next election would be November.

Commissioner Willson stated that this would be directly behind the Parks and Recreation millage in August. He stated that the survey results were an unscientific poll. He stated that the survey was well-written and was answered by people who come in, see a hard copy of the survey on the counter and it peaks their interest. He stated that it has a tendency to mostly be answered by people who are in favor. He stated that their support for a millage and the whole concept is really strong. He stated that the next opportunity would be in November and the level of support seems strong.

Supervisor Trout stated that it is a half a million dollars per mile and possibly more. He stated that five miles would cost 2 ½ million dollars.

Commissioner Willson stated that it was a logical connectivity path between Davisburg east down to Davisburg-Dixie where the intersection improvements will take place.

Commissioner Hines stated that it was problem having bikes riding in the road.

Commissioner Willson agreed. He stated that the pathway idea is important to many people.

Supervisor Trout stated that by the next meeting, we could have the implementation strategy in a draft form for the Commission to look at. He stated that the survey results are compiled at the end of it.

Commissioner Hines asked if grant money was available.

Commissioner Steckling asked what the Planning Commission needed to do to move forward.

Supervisor Trout stated that he would compile the rest of the document and present it at the next meeting and talk about the details. He stated that we may have the will to try for a millage, and we will learn something if we are not

successful, and be way ahead of the game if we are. He stated that the next opportunity would be 2012.

Commissioner Willson stated that it would be possible to ask for a reasonable millage and in a couple of years, raise enough through the assessment.

Commissioner Steckling stated that anything is better than nothing. He stated that he does not need to wait for a full report. He stated that he would not like to see a delay.

Supervisor Trout stated that millage language should be part of the report.

Commissioner Leddy asked if the millage would support the whole plan, or just a portion.

Commissioner Willson answered all of it. He stated they would have to determine length; some communities are ten years, some are four.

Supervisor Trout stated that all would be included. He stated that by having the Planning Commission's input on the plan, some priorities would be set forth.

Commissioner Willson stated that he cannot answer definitively on federal grants because he does not have any experience there, although a request came through from the federal government that was shown to him by Chris Benedict that were Obama stimulus funds. The description of the process to find out if you were in a position to apply was mind-boggling and 80 pages of federal language which was very difficult and perhaps beyond the capacity of Planning Commission or anyone else in the Township to understand. He stated that there might be some grant money available, but he believes that it still would not help fund construction. He stated that they can continue to pursue this, but based on the survey, the millage may have a bigger chance if properly presented.

Commissioner Baker asked how long the Board needed in order to consider millage language. He stated that he does not want to create 30 days of downtime if this time is needed for Board consideration.

Supervisor Trout stated that the filing deadline for the November election is sometime after the primary in August. He stated if the Planning Commission looks at it in July, we will be able to keep moving forward to the Township Board.

Commissioner Willson stated that they should be cognizant of the Parks and Recreation millage and be cautious about talking about another millage this early outside of private conversation. He stated that Parks and Recreation needs time to present their case and time to allow the voters to decide. The timing is critical; we

will be able to see the results of the August 3rd election and then have time to proceed if they want to.

2. Dixie-Davisburg Intersection.

Supervisor Trout stated that he had a meeting scheduled with the Road Commission to finalize the locations of the crosswalks. He stated that his primary goal was to get this project moving and at the same time, the intersection improvement needs to be looked at, especially the southwest corner. He stated that there are many examples of intersection improvements, including Hill and Fenton Road in Grand Blanc. He stated that they need to decide what they are able to do. He stated there are many elements including lighting, seating, fencing, signage that need to be considered. He stated that he would like to see a plan for it, and even if we cannot do it all, we could do a portion of it.

Commissioner Leddy asked if this would include the traffic problem at Kroger.

Supervisor Trout stated that it probably should. He stated that the Dixie Corridor plan had some recommendations for addressing this.

Mr. Oppmann stated that it is ultimately up to the property owner and Kroger. He stated that enough people complain to the store, and then the store passes it on to the property owner.

Other Business:

1. Priority Task List/CIP

Supervisor Trout stated that the Wind Energy conversion systems became effective June 2nd.

Commissioner Steckling addressed administrative control and site plan. He would like to see the Commission look at this.

Supervisor Trout stated that the churches in office zoning is an issue that the ZBA will be looking at, he just wanted to make the Commission aware. He stated that the group that was looking at the Masonic Lodge really wants to be in the Township, however the cost is very high. He asked if the community septic should be in the Downtown Davisburg category, or should it be separate.

Commissioner Steckling stated that he would suggest keeping them together.

Supervisor Trout stated that we have provisions for occupancy permits, but there is not a process for reuse of the building. He stated that the Township should be aware of what is going on and we are looking at how to use the occupancy permit section to get a cursory look at the reuses.

Mr. Oppmann stated that if a business wanted to reuse a space there could potentially be a fee.

Supervisor Trout stated that if you have a business permit, we could tie it into the temporary sign ordinance as well.

Commissioner Leddy asked about residential occupancy, for example, foreclosed property that is not up to code that is being purchased by people who do not realize that they have to bring the house up to code.

Mr. Oppmann stated that this is one of the things that we have been looking at in meetings with the Supervisor is having a Building Inspector actually tag all of the foreclosures and require inspection to determine if everything looks okay. He stated that frequently in these properties, everything is gutted and destroyed and really this is for the homeowner's protection. This is really just a special inspection.

Commissioner Steckling asked for clarification that we do not do this now.

Mr. Oppmann stated that no, we currently do not do this. He stated that this is your obligation as a purchaser.

Commissioner Steckling stated that the Township does not require it to be brought up to code so why would we do it if it was a foreclosure.

Mr. Oppmann stated that this is a special inspection for wires hanging out of the ceiling; this and other issues are a frequent problem with foreclosed property. He stated that many communities are doing this where the homes are being tagged and the new homeowner get a special inspection to figure out what needs to be done. This is still their responsibility as a purchaser.

Commissioner Hines asked if the banks require this.

Commissioner Steckling asked how this would affect a business moving out of commercial property.

Supervisor Trout stated that the point is that we want to be aware of what is taking place and the transition of buildings to different occupants has been problematic. He stated that the parcel on Dixie that is being used to sell wood is currently zoned office. He stated that the owner didn't know that this was zoned office. He stated that the manufacturing business that was there prior was a non-conforming use. He stated that the use changed and then they added the outside business of woodcutting which is illegal. He stated that we only know about it if we see it. He stated it would be easier if we had a process when changing occupancy. He stated that the owners would know that the businesses in there would be permitted.

Commissioner Steckling stated that they will have problems with this. He stated that the 2 building across the street from him on Enterprise will be bank owned. The new owners may or may not be in compliance, it depends if they do their due diligence or not. He stated that he does not necessarily think there should be another hurdle and fee and obstacle for a new business. He stated that the Township is mostly a hindrance for new business in his viewpoint. He stated that it is not malicious; it is just the way it works. He stated that you create more hurdles, you charge more money. He stated it is not how can we help you and welcome you here. He stated that it is the Township wants money and no, you can't do it.

Commissioner Leddy stated that there needs to be mechanism to warn someone when they go to buy a piece of property that they won't be able to use it the way they should and therefore they have spent money for nothing.

Commissioner Steckling stated that they will get the permit after they move in. He stated that all of his neighbors did not read the site condo restrictions in their neighborhood.

Supervisor Trout stated that one of the concerns is that the building may be public and there are problems. He stated that the fire violations would not be approved by the Fire Chief. He stated that they try to work with the businesses, but it is an ongoing problem. He stated not knowing what was there is difficult. He stated at the Fortinberry dealership, there was an operation in the back that caused a fire and the Township did not know it existed. The Township thought it was empty however, there was a business in the back that was varnishing furniture and doing various things with solvents and chemicals. He is looking for a way to prevent this.

Commissioner Steckling stated that he did not disagree that these were legitimate points; he is not sure how to implement them.

Supervisor Trout stated that he has not had a chance to go over the CIP with the finance committee but should be able to do this in the near future.

Public Comment: None

Adjournment:

Commissioner Steckling adjourns the meeting at 9:25 pm.

Erin A. Mattice, Recording Secretary