



ACME TOWNSHIP PLANNING COMMISSION MEETING
Acme Township Hall
6042 Acme Road, Williamsburg, Michigan
7:00 p.m. Monday, December 21, 2009

Meeting called to Order with the Pledge of Allegiance at 7:00 p.m.

Members present: M. Vermetten (Chair), B. Carstens (Vice Chair), C. David, S. Feringa, R. Hardin, D. Krause, D. White, J. Zollinger
Members excused: P. Yamaguchi
Staff Present: J. Hull, Zoning Administrator
S. Vreeland, Township Manager/Recording Secretary
J. Jocks, Legal Counsel

INQUIRY AS TO CONFLICTS OF INTEREST: None noted.

APPROVAL OF AGENDA: Motion by Krause, support by David to approve the agenda as presented. Motion carried unanimously.

1. Consent Calendar:

Motion by Carstens, support by Zollinger to approve the Consent Calendar as amended to remove the November 23 Planning Commission meeting minutes approval for further discussion, including:

Receive and File:

- a) Draft Unapproved Minutes of:
 - 1. 12-01-09 Board Meeting
- b) Planning & Zoning News November 2009
- c) Status Update – VGT-Phase I SUP Application #2009-01P

Action:

- d) Approve 11-16-09 and 11-23-09 Planning Commission meeting minutes
- e) Approve 2010 regular Planning Commission meeting schedule

Motion carried by unanimous roll call vote.

2. Correspondence: None

3. Limited Public Comment: None

4. Presentations: None

5. Public Hearings:

- a) Wind Energy Ordinance: Amended Draft Language : Hull stated he had nothing to add to his cover memo. Jocks had nothing to add.

Public Hearing opened and closed at 7:06, there being no public comment.

David referred to Section 13.3.2, and asked that instead of “met tower” we state “anemometer tower” to ensure there is understanding and clarity. After discussion, it was agreed to use both terms, with the abbreviation in parenthesis. Feringa also recommended placing the term in the definitions. Krause observed that Section

13.3.2 provides both terms in the context of defining permissible height. Both courses of action will be taken.

Motion by David, support by Zollinger to recommend adoption of the Wind Energy Ordinance as amended through discussion this evening to the Board of Trustees. Motion carried unanimously.

6. Old Business:

- a) **Discussion on Ordinance Amendment to §7.4 Signs:** This evening Hull has provided photographs of various area signs, both inside and outside the township. He stated an understanding from discussion at the November 23 meeting that the Commission desired to maintain the current very strict sign size and appearance standards while making the ordinance more understandable and readable.

David asked about allowing signs to be placed by contractors on properties where work is being done. We do not currently permit this, but the Commission generally felt that they should be allowed on a site for the duration of the work period and removed when the work is complete. The sign size allowed would be the same 3' x 3' maximum allowed for real estate signs.

Hardin noted that we don't have a limit on the number of political signs that can be in place on any given property and he would not recommend that we set a limit. There was general agreement.

Hull noted that one change proposed to the agricultural district signage regulations would allow up to four off-site signs for an agribusiness to help with way finding from main roads to farms off the "beaten path." As written the signs would only be allowed on off-site properties zoned agricultural, but several Commissioners noted that to be effective some would need to be placed on properties with other zoning designations. The Commission felt that off-site seasonal agri-business signs should be permitted in all zoning districts.

Should farmers be charged for their seasonal agribusiness signs according to the standard commercial sign permit fee schedule? Many Commissioners felt that since the township is attempting to promote agriculture that these signs should not be charged a fee. Hull read the types of signs that the ordinance permits to be erected for free. One of the types of permissible free signs is seasonal signage advertising the sale of agricultural products. If it becomes a four-season sign it would be regulated as any other year-round commercial sign and would be charged the permit fee. It would also appear that an agribusiness such as a winery that was a year-round rather than seasonal operation might not be eligible to have off-site signage as the draft is written because it would not be seasonal.

Zollinger feels that a permanent sign is any that has a structure that is permanently affixed, even if you can change the message seasonally to advertise the availability of different crops. This would be different from a set of completely removable signs.

Jocks stated that as written the proposed ordinance does not prohibit erection of a permanent structure with changeable components. To accomplish this, the word "temporary" would need to be added to clarify that the allowed sign be something that is not permanently affixed to the ground.

Vreeland suggested that the Commission consider carefully the answers to possible questions that may come from general business owners about why farmers with

agribusinesses would be allowed to have off-site directional signage at no charge, but they would not be permitted to have similar signage at all. There could even be concerns from agribusinesses such as wineries that operate year-round if they would not be permitted to have permanent off-site directional signage or if they are charged differently. Many of the Commissioners expressed a feeling that seasonal farm businesses deserve special consideration under the sign ordinance because the township has a voted farmland preservation millage in place.

Overall the Commission was comfortable with the current list of signs exempt from the permitting process.

Hull turned to the pictures he took of various signs around town. He noted the differences in the way that different businesses use their awnings – some have small wording and mostly blank space and some have the entire awning filled with large lettering. He also discussed “blade” signage such as those posted outside of shops at a right angle to a business over an urbanized-area sidewalk. He noted that window displays are currently not regulated, so things like neon “open” signs in windows are not regulated. Krause noted that he dislikes the types of huge posters in windows such as those in the Bear Company in East Bay at the corner of Three Mile and US 31. The Commission would like to see if it would be possible to limit the amount of such signage posted on business windows.

Hull noted his picture of the Taco House sign, which has a cactus-shaped pole. The township does not currently regulate the design of a sign support other than the height. The Commission indicated a desire to maintain the status quo in this regard.

Krause stated that the ordinance currently allows sign heights up to 20’, but he believes that this is too tall and that many of our signage appearance concerns could be alleviated if the maximum sign height is reduced to an 8’ maximum from grade. He gave the example of Hilton Head where all of the signage is kept low to the ground. This would also tend to affect the range of support designs that would be used. White expressed concerns about damage to low-lying signs from road snow plowing in the winter. He also expressed concern about low signs blocking

Motion by Krause, support by David to change the maximum sign height in commercial districts to 10’ from 20’. Motion failed by a tie vote of 4 in favor (Carstens, David, Krause, Zollinger) and 4 opposed (Feringa, Hardin, Vermetten, White).

Motion by Feringa, support by Krause to change the maximum sign height in commercial districts to 12’ from 20’.

Carstens wished that this decision could be delayed pending further research.

Motion carried by a vote of 5 in favor (David, Feringa, Krause, White, Zollinger) and 3 opposed (Carstens, Hardin, Vermetten).

Hull directed attention to the picture of the Wild Birds Unlimited sign and asked whether the birds should be included in the signage area for calculation purposes. Everyone but Vermetten felt that they should be included.

Hull noted pictures of signs with large structures such as the Cherry Tree Inn, NMC, the Dennis Museum Center and the Burger King and asked if the sign structure area/mass should be regulated; there was general consensus that we should continue

not to include it as part of the sign size. White felt that the cherries on the Cherry Tree Inn Sign were akin to the birds on the Wild Birds Unlimited sign, and upon reflection several commissioners indicated that they would count neither the cherries arcing over the worded sign nor the birds as part of the 32 sq. ft. allowed for the sign face. Zollinger asked if there would be a way to deal with such questions without creating a rule, thinking specifically of the striped cap over the North Shore Inn sign. Hull observed that as Zoning Administrator, he would make a determination and the applicant would have the right to appeal his decision to the Zoning Board of Appeals. The Commission generally felt this was sufficient.

Hull proposed size limits on temporary signs, as well as a limit of 60 days per year of temporary signage per property.

David stated that the word “which” needed to be added to item f at the top of page 4 in the meeting materials for it to make sense. Under the residential zoning district sign regulations, item 2 there is a statement that there be only one sign “per premises” but he was unsure whether this was per house or per housing development such as subdivision, condominium subdivision or condominium/apartment complex.

Garage sale signs will be added to the list of signs that do not require a permit, and will still be limited to three in number.

The draft will be revised according to tonight’s discussion and resubmitted for further review in January.

- b) **Bates Neighborhood Planning – process update:** Hull met today with County Planning Director John Sych to discuss their process in preparing data for a public input process. Rainer Reichert in the GIS Department is helping to prepare various maps, and we are expecting data on where the new Consumers Energy power poles will be placed. The pole sites will also be flagged on January 7 so people will be able to see on the ground where they will be located. Dorothy Dunville and the Heritage Committee have been gathering historical information about the Bates area. There was some discussion about having a special meeting on January 18 on this issue, and if this is still desired Hull and Sych will work to have information packets ready for distribution by January 11. If this time frame is not suitable, Hull suggests that the next special meeting date be February 15.

Zollinger asked if a survey of Bates area landowners is being performed, having thought this was the charge given to staff when this was last discussed. Hull stated that he was somewhat confused on this point, and that he and Sych have been working more on gathering demographic data than public opinion data. Vermetten recalled that the Commission was feeling like they would have more information about what Bates area landowners desire in terms of land use planning for the area, but all people would talk about was the traffic conditions. Zollinger concurred, and both expressed a feeling that if none of the area landowners feel that there is a need for land use planning, perhaps this project is a waste of time and should be ended. Krause concurred, feeling that perhaps we should wait until pending land use activities take place and then see what might or might not need to be done. Vermetten feels that very few landowners have taken a sincere interest in what is going on; Krause suggested that once more happens relative to the Consumers property perhaps people will have more interest.

Vreeland offered that the point of planning is to lay out a design and desires for the community before things happen, not to prevent people from developing their land

but to help guide them as to the ways it can be accomplished that are socially and contextually acceptable within the community. If we wait to plan until things start to happen, it will be too late.

Vermetten and Krause both noted that the most immediate changes in the Bates area appear to be purely infrastructure-related – the installation of the new power substation and the new high voltage power transmission lines, and that they will make a significant enough change that any plans we make now could be rendered meaningless in the future. They suspect that no land use issues will crop up until after those installations are complete. Hardin noted that there has been a recent rezoning of residential land on the south side of M-72 west of Bates and an application for a shopping center. We may not know everything about what is coming, but we know it will have an effect and perhaps we should begin planning now based on what we know today. Carstens also noted that the township has invested in farmland to the north and it is important to plan something complementary to that preservation effort to the south.

David stated that the township has seen no definite land use plan or request from Consumers Energy regarding their property. Carstens observed that one reason this is happening now is that Consumers Energy purchased more land than they need and their representatives have expressed that they may seek to rezone the property to a commercial designation to make what they are not using more saleable. Vreeland confirmed that one of their representatives specifically asked her if she could find out what the township's perspective on such a request would be.

Vermetten noted that the last few regular meetings have not been very busy and there would seem to be time on either the regular January or February meeting dates to receive an update regarding this issue. Vermetten suggested scheduling the next update on the Bates planning project for the February 22 meeting to give Hull and Sych plenty of time to prepare additional materials.

- c) **Approve 11-23-09 Planning Commission meeting minutes:** Typographical errors were corrected on page 2 in the second paragraph at the end of the second line and in the fifth line of the second paragraph under the discussion about the sign ordinance.

Motion by David, support by Feringa to approve the meeting minutes as corrected. Motion carried by unanimous roll call vote.

7. **New Business:** None

8. **Public Comment/ Any other Business that may come before the Commission:**

Ken Engle, 8433 Sayler Road, asked if it would be possible to have the Road Commission install “grape cluster” directional signs. Hull stated that they would not be prohibited by the township, and if the Road Commission itself allows placement of them within their right of way so would we. Mr. Engle also noted the picture in Hull's presentation of a carved fish sculpture in front of a building and asked how such sculptural symbols would be treated by the ordinance. As a person who often drives a truck he is sensitive to the height, placement and configuration of signs. He finds the sign at the corner of US 31 and Four Mile for the mini mall one of the most difficult to see around. Mr. Engle feels that planning for Bates is needed and should be proactive. He also asked what setbacks we would require from any easements under power lines, and how would they affect buildable areas on lots particularly when North Bates is relocated. Mr. Engle has previously mentioned his concerns about the possibility of increased through traffic on Bates Road. Much of the land in this area is also zoned agricultural but is likely never to be farmed again; perhaps it should be considered for

rezoning to residential.

Vreeland stated that the township does not have any setback requirements from power lines; various people noted that there the power companies themselves do have such requirements and that they vary according to the power level of the particular line.

Rachelle Babcock, 4261 Bartlett Road, stated that in some places she is familiar with there have been directional signs for wineries incorporated into other nearby existing items. She asked who pays for installation of street name signs, and she wondered if directional signs for businesses could be added to public street name sign poles.

Mr. Engle noted the new signs in downtown Traverse City placed by the DDA that point the way to various points of interest.

Vreeland stated that the township has completed its third farmland development rights purchase, this time on 37.5 acres of property owned by Cherry Country Cove/the Veliquette family. This is the first purchase that included a 25% bargain sale component from the landowner.

Vreeland also stated that the Parks & Recreation Advisory held a meeting last Thursday at which they reviewed the list of proposed projects in the 5-year parks plan. The task they would like to begin working on next is creation of a township-wide trail plan. Since this is a planning project, the Planning Commission does need to play a role in this work along with the advisory. Vreeland and advisory Chair Owen Sherberneau will be meeting during the first week of January to formulate a project plan, and further updates will follow.

Meeting adjourned at 9:05 p.m.